1522.

SUPREME COURT OF THE UNITED STATES.

No. 108.

PHILIP FRANCOIS RENAULT'S HEIRS, PLAINTIFFS IN ERROR,

vs.

BENJAMIN RUGGLES.

IN ERROR TO THE CIRCUIT COURT OF THE UNITED STATES, FOR THE DISTRICT OF MISSOURI.

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1-24.

THE UNITED STATES OF AMERICA,
Eighth circuit, Missouri district, sct.

Pleas before the honorable the eighth circuit court of the United States of America, in and for the Missouri district, held at the city of St. Louis, in said district, on the first day of May, A. D. 1851.

Names of parties.

AUGUSTINE ANNE LOUISE DENISE, Hyacinthe Adele Mayneaud de Paucemont, Countess de Tournon, Seraphine Carpentier, widow of Oliver Louis Martin, Charles Alx'r Martin, Janie Mararie Seraphine Martin, and Jaques Francois, Justinian Francois, who are aliens, subjects of the kingdom of France, and Antoine Joseph Servais, who is also an alien, subject of the kingdom of Belgium, plaintiffs,
against
BENJAMIN RUGGLES, defendant.
} In ejectment.

Be it remembered, that on the third day of March, in the year of our Lord one thousand eight hundred and forty-four, came the plaintiffs aforesaid, by H. S. Geyer, esq., their attorney, and filed in the clerk's office of the 8th circuit court of the United States, for the Missouri district, the following declaration in ejectment against Benjamin Ruggles, to wit:

Declaration.

In the circuit court of the United States, for the Missouri district. April term, 1844.

DISTRICT OF MISSOURI, *sct.*

Augustine Anne Louise Denise, Hyacinthe Adele Mayneaud de Paucemont, Countess de Tournon, Seraphine Carpentier, widow of Oliver Louis Martin, Charles Alexander Martin, Janie Mararie Seraphine Martin, and Jaques Francois, Justinian Francois, who are aliens, subjects of the kingdom of France, and Antoine Joseph Servais, who is also an alien, subject of the kingdom of Belgium, by Geyer, their attorney, complains of Benjamin Ruggles, a citizen of the State of Missouri. For that, whereas, the said plaintiffs, heretofore, to wit, on the first day of January, in the year of our Lord eighteen hundred and forty-four, were, and thence hitherto have been, and still are, entitled to the possession of the following described tracts of land and premises, that is to say, sections numbered nine and ten, the north half of section

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numbered fifteen, and the north half of section numbered sixteen, in township thirty-eight north, range two east, of the principal meridian, containing thousand acres, situate in the State of Missouri, district aforesaid; and being so entitled to the possession, the said defendants, on the day and year aforesaid, at the district aforesaid, with force and arms, entered into and upon said land and ejected the said plaintiffs therefrom, and thence hitherto unlawfully withheld, and still unlawfully withholds, from the plaintiffs the possession of the said land and premises, to the damage of the plaintiffs of five thousand dollars; wherefore they bring suit, &c.

GEYER, *for plaintiffs.*

And afterwards, to wit, on the day of the filing of the above declaration, the following summons was issued, to wit:

Summons.

MISSOURI DISTRICT, *sct.*

The President of the United States, to the marshal of the Missouri district, greeting:

You are hereby commanded to summon Benjamin Ruggles, a citizen of the State of Missouri, that he be and appear before the circuit court of the United States, for the district of Missouri, at the next term thereof, to be held at the city of St. Louis, within and for said district, on the first Monday of April next, then and there to answer unto Augustine Anne Louise Denise, Hyacinthe Adele, Maynaud de Pancremont, Countess de Tournon, Seraphine Carpentier, widow of Oliver Louis Martin, Charles Alexander Martin, Janie Mararie Seraphine Martin, Jacques Francois, Justinian Francois, who are aliens and subjects of the kingdom of France, and Antoine Joseph Servais, who is also an alien and a subject of the kingdom of Belgium, of a plea of trespass and ejectment to the damage of said plaintiffs of five thousand dollars. Hereof fail not and have you then there this writ.

Witness the honorable Roger B. Taney, chief justice of the United States, the 3d day of March, A. D. 1844. Issued at office
[L. S.] in the city of St. Louis, under the seal of said court, the day and year last aforesaid.

JO. GAMBLE, *Clerk.*

Upon the foregoing writ the marshal made the following return:

Marshal's return.

This writ came into my hands on the 3d day of March, 1844.

WESTON F. BERCH,
U. S. marshal.
By his deputy, RICHM'D J. CURLE.

I hereby certify, to the honorable circuit court within mentioned, that I executed the within writ by reading the within declaration and writ in the presence and hearing of the within named Benjamin Ruggles, on the 6th of March, 1844, in Washington county, Missouri district, who acknowledged the service thereof.

WESTON F. BIRCH,
Marshal.
By RICHM'D J. CURLE,
Deputy marshal.

And afterwards, to wit, on the eleventh day of April, in the year one thousand eight hundred and forty-four, the defendant, by George W. Nabb, esq., his attorney, filed the following plea herein, to wit:

Plea.

COUNTESS DE TOURNON et al.
vs.
BENJAMIN RUGGLES.

In the circuit court of the United States, for the district of Missouri, April term, 1844, A. D.

And the said defendant, by George W. Nabb, his attorney, comes and defends the force and injury when, &c., and says that he is not guilty of unlawfully withholding the premises from the plaintiffs, as alleged against him in the above declaration, in manner and form as the said plaintiffs have above, as aforesaid, complained against him, and of this he puts himself upon the country, &c.

GEO. W. NABB, *for defdt.*

Order of survey.

And afterwards, to wit, at the April term of said court, to wit, on the 27th day of April, 1844, on motion of the plaintiffs, by their attorney, it is ordered by the court that a survey of the tract of land, the title of which is in dispute in this case, be made by William H. Cozens, esq., and that he return to this court three copies of the plat of said survey, with his report thereon.

And afterwards, to wit, at the April term of said court, to wit, on the 22d day of April, 1845, Mr. Nabb, attorney of record for the defendant in this cause, prays leave of the court to withdraw his name as attorney as aforesaid, which is granted.

Jury and juror withdrawn, &c.

And afterwards, to wit, at the April term of said court, and on the 17th day of April, A. D. 1846, came again the parties aforesaid, by their respective attorneys, and thereupon also came a jury, to wit,

William Turner, Thomas B. Claggett, Richard B. Coleman, John McCutchen, Frederick Branstella, Abram T. Tyrce, William J. Harrison, William Hudgens, William A. Coxe, Lucien E. Stewart, Thomas J. Simpson, William Lenox, twelve good and lawful men, who were duly elected, tried, and sworn, well and truly to try the issue within joined between the parties aforesaid; whereupon, for certain reasons as well to the court here as to the said parties appearing, the said William Turner, one of the jurors of the jury aforesaid is withdrawn from the panel by agreement of the parties, and with the assent of the court, and the rest of the jurors of that jury are wholly discharged from giving any verdict of and upon the premises aforesaid, and cause continued.

Motion of plaintiffs continued.

And afterwards, to wit, at the April term of said court, to wit, on the 2d day of April, A. D. 1850, on motion of the plaintiffs, by their attorney, this cause is continued until the next term of this court.

Order appointing R. Rose commissioner.

And at a subsequent day of said April term, to wit, on the 30th day of April, 1850, came the plaintiffs, by their attorney, and on his motion it is ordered that Robert Rose be, and he is hereby, appointed a commissioner to take depositions in the republic of France, and in the kingdom of Belgium, to be read in evidence upon the trial of this case.

Order to open depositions and appoint translator.

And afterwards, to wit, at the April term of said court, to wit, on the 17th day of April, A. D. 1854, came the parties, by their attorneys, and on motion of the plaintiffs, by attorney, the clerk of this court is ordered to open the sealed depositions in this case, which is done accordingly; and by consent, Robert Rose is appointed by the court to translate all the depositions and other papers on file in a foreign language.

Plea filed nunc pro tunc.

And at a subsequent day of said April term, to wit, on the 26th day of April, 1851, come the parties, by their attorneys, and Robert Rose, who was appointed by the court to translate the depositions and other papers on file in this case in a foreign language, returned into court his translation of all such depositions and papers; and thereupon defendant, by attorney, asked that the plea of not guilty, marked filed on the 11th April, 1844, be now entered of record as filed nunc pro tunc, which is done, and both parties being ready for trial, it is ordered that a jury come.

1826.

Jury.

And thereupon comes a jury, to wit, Asa Wilgus, Truman Roberts, G. P. Cerre, M. P. Morrison, John H. Baldwin, J. Lakeman, Michael Buckley, Michael Powers, W. M. Wood, William Williams, S. Jacobs, and Francis Bohn, twelve good and lawful men, who were elected, tried, and sworn, well and truly to try the issue joined; and the testimony not being concluded at the hour of adjournment, further proceedings are continued until Monday morning, 10 o'clock.

And at a subsequent day of said April term, to wit, on the 28th day of April, 1851, came again the parties by their attorneys, and the jury sworn herein also appeared in court, and the evidence not being concluded at the hour of adjournment, further proceedings are again continued until to-morrow morning.

And at a subsequent day of said April term, to wit, on the 29th day of April, 1851, came again the parties by their attorneys, and the jury sworn herein also appeared in court, and the evidence not being concluded at the hour of adjournment, further proceedings are again continued until to-morrow morning.

And on the same day of said term, to wit, on the said 29th day of April, 1851, by consent of attorneys in this case, it is ordered that Robert Rose, who was appointed at a former day of this term to translate the depositions and other papers on file in a foreign language, be allowed the sum of fifty dollars for his services in making such translation; which sum of fifty dollars is to be taxed in as part of the bill of costs in this case.

And at a subsequent day of said April term, to wit, on the 30th day of April, 1851, came again the parties by their attorneys, and the jury sworn herein also appeared in court, and the evidence not being concluded at the hour of adjournment, further proceedings are again continued until to-morrow morning.

Verdict—Judgment.

And at a subsequent day of said term, to wit, on the 1st day of May, 1851, came again the parties aforesaid by their attorneys, and the jury sworn herein appeared in court, and the evidence being completed, the said jury returned into court the following verdict, to wit: We, the jury, find the defendant is not guilty of the trespass and ejectment complained of in the declaration. We further find that Philip François Renault, the grantee, abandoned his grant and the lands therein mentioned. And we further find that the heirs of said Renault did also abandon said grant and the lands therein mentioned, if they had any claim or title to abandon. Therefore it is now considered by the court that the defendant go hence and recover against the plaintiffs his costs by him about his defence in this behalf expended, and that he have execution thereof.

Order filing bill of exceptions.

And at a subsequent day of said term, to wit, on the 2d day of May, 1851, came the parties by attorneys, and the plaintiffs filed their bill of exceptions, which was allowed by the court, signed, sealed, and ordered to be made a part of the record in this case.

The following is the bill of exceptions filed herein and above referred to, to wit:

Be it remembered, that on the trial of this cause the plaintiffs offered in evidence the following testimony:

1. Letters patent of the King of France to the Company of the West, which is as follows, to wit:

Lettres patentes en forme d'edit, portant établissement d'une compagnie de commerce, sous le nom de Compagnie d'Occident.

Donné à Paris, au mois d'Aoust, 1717.

Louis, par la grace de Dieu roy de France and de Navarre: A tous present et à venir, salut. Nous avons depuis nostre avenement à la couronne travaillé utilement à restablir le bon ordre dans nos finances, et à reformer les abus que les longues guerres avoient donné occasion d'y introduire, et nous n'avons pas eu moins d'attention au restablissement du commerce de nos sujets, qui contribué autant à leur bonheur que la bonne administration de nos finances; mais par la connoissance que nous avons prise de l'estat de nos colonnies situées dans la partie septentrionale de l'Amerique; nous avons reconnu qu'elles avoient d'autant plus besoin de nostre protection que le sieur Antoine Crozat, auquel le feu Roy, nostre tres-honoré Seigneur et Bisayeul, avoit accordé par ses lettres patentes du mois de Septembre, de l'année 1712, le privilege du commerce exclusif dans nostre gouvernement de la Louisianne, nous a tres-humblement fait supplier de trouver bon qu'il nous le remit, ce que nous luy avons accordé par l'arrest de nostre conseil du vingt-troisième jour du present mois; et que le traité fait avec les sieurs Aubert, Neret, et Gayot, le dixieme jour du mois de May, de l'année 1706, pour la traite du castor de Canada doit expirer à la fin de la presente année, nous avons jugé qu'il estoit necessaire pour le bien de nostre service, et l'avantage de ces deux colonnies, d'establir une compagnie en estat d'en soutenir le commerce, et de faire travailler aux differentes cultures et plantations qui s'y peuvent faire. A ces causes et autres à ce nous mouvans, de l'avis de nostre tres-cher et tres-amé oncle, le Duc d'Orleans, petit-fils de France, regent; de nostre tres-cher et tres-amé cousin, le Duc de Bourbon; de nostre tres-cher et tres-amé cousin, le Prince de Conty, princes de nostre sang; de nostre tres-cher et tres-amé oncle, le Duc du Maine; de nostre tres-cher et tres-amé oncle, le Comte de Toulouse, princes legitimez, et autres Pairs de France, grands et notables personnages de nostre royaume; et de nostre certaine science, pleine puissance, et autorité

royale, nous avons dit, statué, et ordonné, disons, statuons, et ordonnons, voulons et nous plaist.

Article premier.

Qu'il soit formé en vertu des presentes, une compagnie de commerce sous le nom de compagnie d'occident, dans laquelle il sera permis à tous nos sujets de quelque rang et qualité qu'ils puissent estre, mesme aux autres compagnies formées ou à former, et aux corps et communautez de prendre interest pour telle somme qu'ils jugeront à propos, sans que pour raison du dit engagement ils puissent estre reputez avoir derogé à leurs titres, qualitez, et noblesse; nostre intention estant qu'ils jouissent du benefice porté aux edits des mois de May et Aoust, de l'année 1664, Aoust, 1669, et Decembre, de l'année 1701, que nous voulons estre executez suivant leur forme et teneur.

II. Accordon, à ladite compagnie d'occident le droit de faire seule pendant l'espace de vingt-cinq annees, à commencer du jour de l'enregistrement des presentes, le commerce dans nostre province et gouvernement de la Louisianne, et le privilege de recevoir à l'exclusion de tous autres dans nostre colonnie de Canada, à commencer du premier du mois de Janvier, de l'année 1718, jusques et compris le dernier Decembre, de l'année 1742, tous les castors gras et secs que les habitans de ladite colonnie auront traite; nous reservant de regler sur les memoires qui nous seront envoyez du dit pays, les quantitez des differentes especes de castors que la compagnie sera tenue de recevoir chaque année des dits habitans de Canada, et les prix ausquels elle sera tenue de les leur payer.

III. Faisons défenses à tous nos autres sujets de faire aucun commerce dans l'estendue du gouvernement de la Louisianne pendant le temps du privilege de la compagnie d'occident, à peine de confiscation des marchandises et des vaisseaux. N'entendons cependant par ces défenses interdire aux habitans le commerce qu'ils peuvent faire dans ladite colonnie, soit entr'eux, soit avec les sauvages.

IV. Défendons pareillement à tous nos sujets d'acheter aucun castor dans l'estendue du gouvernement de Canada, pour le transporter dans nostre royaume, à peine de confiscation du dit castor au profit de la compagnie; mesme des vaisseaux sur lesquels il se trouvera embarque. Le commerce du castor restera neantmoins libre dans l'interieur de la colonnie, entre les negocians et les habitans qui pourront continuer à vendre et acheter en castor, comme ils ont toujours fait.

V. Pour donner moyen à ladite compagnie d'occident de faire des establissemens solides, et la mettre en estat d'executer toutes les entreprises qu'elle pourra former, nous luy avons donne, octroyé, et concedé, donnons, octroyons, et concedons par ces présentes à perpetuité, toutes les terres, costes, ports, havres, et isles qui composent nostre province de la Louisianne, ainsi, et dans la mesme estendue que nous l'avions accordé au Sieur Crozat par nos lettres patentes du quatorzieme jour du mois de Septembre, mil sept cens douze, pour en jouir en

toute proprieté, seigneurie et justice; ne nous reservant autres droits ny devoirs que la seule foy et hommage-lige que ladite compagnie sera tenue de nous rendre, et à nos successeurs rois, à chaque mutation de roy, avec une couronne d'or du poids de trente marcs.

VI. Pourra ladite compagnie dans les pays de sa concession, traiter et faire alliance en nostre nom avec toutes les nations du pays autres que celles dépendantes des autres puissances de l'Europe, et convenir avec elles des conditions qu'elle jugera à propos pour s'y etablir, et faire son commerce de gré à gré; et en cas d'insulte, ella pourra leur declarer la guerre, les attaquer ou se défendre par la voye des armes, et traiter de paix et de tréve avec elles.

VII. La propriété des mines et minieres que ladite compagnie fera ouvrir pendant le tems de son privilege, luy appartiendra incommutablement, sans estre tenue de nous payer pendant le dit tems pour raison des dites mines et minieres, aucuns droits de souveraineté desquels nous luy avons fait et faisons don par ces présentes.

VIII. Pourra ladite compagnie vendre et aliener les terres de sa concession à tels cens et rentes qu'elle jugera à propos, mesme les accorder en franc aleu, sans justice, ny seigneurie. N'entendous neantmoins qu'elle puisse déposseder ceux de nos sujets qui sont déja establis dans le pays de sa concession des terres qui leur ont esté concedées, ou de celles que sans concession ils auront commencé à mettre en valeur. Voulons que ceux d'entr'eux qui n'ont point de brevets, ou lettres de nous, soient tenus de prendre des concessions de la compagnie, pour s'assurer la propriété des terres dont ils jouissent, lesquelles concessions leur seront données gratuitement.

IX. Pourra ladite compagnie faire construire tels forts, chasteaux, et places qu'elle jugera necessaires pour la défense des pays que nous luy concedons; y mettre des garnisons, et lever des gens de guerre dans nostre royaume, en prenant nos permissions en la forme ordinaire et accoustoumée.

X. Ladite compagnie pourra aussi establir tels gouverneurs, officiers, majors, et autres, pour commander les troupes qu'elle jugera à propos, lesquels gouverneurs et officiers, majors, nous seront presentez par les directeurs de la compagnie pour leur estre expedié nos provisions; et pourra ladite compagnie les destituer toute fois et quantites que bon luy semblera, et en establir d'autres en leurs places, ausquels nous ferons pareillement expedier nos lettres sans aucune difficulté; en attendant l'expedition desquelles lesdit officiers pourront commander pendant le temps de six mois, ou un an, au plus sur les commissions des directeurs; et seront tenus lesdits gouverneurs et officiers majors de nous prester serment de fidelité.

XI. Permettons à ceux de nos officiers militaires qui sont presentement dans nostre gouvernement de la Louisianne, et qui voudront y demeurer; de mesme qu'à ceux qui voudront y passer sous nostre bon plaisir, pour y servir en qualité de capitaines, ou de subalternes d'y servir sur les commissions de la compagnie sans que pour raison de ce service, ils perdent les rangs et grades qu'ils peuvent avoir actuellement,

tant dans nostre marine, que dans nos troupes de terre, voulant que sur les permissions que nous leur en accorderons, ils soient censez et reputez estre toûjours à nostre service; et nous leur tiendrons compte de ceux qu'ils rendront à ladite compagnie, comme s'ils nous les rendoient à nous-mesmes.

XII. Pourra aussi la dite compagnie armer et équiper en guerre autant de vaisseaux qu'elle jugera necessaire pour l'augmentation et la seureté de son commerce, sur lesquels elle pourra mettre tel nombre de canons que bon luy semblera, et arborer le pavillion blanc sur l'arrière et à beaupré, et non sur aucuns des autres mats; et elle pourra aussi faire fondre des canons à nos armes, au dessous desquels elle mettra celles que nous luy accorderons cy-après.

XIII. Pourra la dite compagnie comme seigneurs hauts justiciers des païs de sa concession, y establir des juges et officiers par tout ou besoin sera et où elle trouvera à propos; et les déposer et destituer quand bon luy semblera; lesquels connoistront de toutes affaires de justice, police, et commerce, tant civiles que criminelles; et où il sera besoin d'establir des conseils souverains, les officiers dont ils seront composez, nous seront nommez et presentez par les directeurs generaux de la dite compagnie; et son les dites nominations, les provisions leurs eront expediées.

XIV. Les juges de l'amirauté qui seront establis dans le dit pays de la Louisianne auront les mesmes fonctions, et rendront la justice dans la mesme forme, et connoistront des mesmes affaires, dont la connoissance leur est attribuée, tant dans nostre royaume, que dans les autres pays soûmis à nostre obéissance; et seront par nous pourveus sur la nomination de l'amiral de France.

XV. Seront les juges establis en tous les dits lieux tenus de juger suivant les loix et ordonnances du royaume, et se conformer à la constenue de la prevosté et vicomté de Paris suivant laquelle les habitans pourront contracter sans que l'on y puisse introduire aucune autre constenue, pour eviter la diversité.

XVI. Tous procez qui pourront naistre en France entre la compagnie et les particuliers, pour raison des affaires d'icelle, seront terminez et jugez par les juges-consuls à Paris, dont les sentences s'executeront en dernier ressort jusqu'à la somme de cent cinquante livres, et au dessus par provision sauf l'appel en nostre cour de parlement de Paris; et quant aux matieres criminelles dans lesquelles la compagnie sera partie, soit en demandant, soit en defendant, elles seront jugées par les juges ordinaires, sans que le criminel puisse attirer le civil, lequel sera jugé comme il est dit cy-dessus.

XVII. Ne sera par nous accordé aucune lettre d'estat ny de répy., évocation ny surseance à ceux qui auront acheté des effets de la compagnie, lesquels seront contraints au payement de ce qu'ils devront par les voyes, et ainsi qu'ils y seront obligez.

XVIII. Nous promettons à la dite compagnie de la proteger, et defendre, et d'employer la force de nos armes, s'il est besoin, pour la maintenir dans la liberté entiere de son commerce et navigation, et

de luy faire faire raison de toutes injures et mauvais traitemens en cas que quelque nation voulût entreprendre contre elle.

XIX. Si aucuns des directeurs, capitaines des vaisseaux, officiers, commis, on employez actuellement occupez aux affaires de la compagnie estoient pris par les sujets des princes et estats avec lesquels nous pourrions estre en guerre, nous promettons de les faire retirer ou échanger.

XX. Ne pourra la dite compagnie se servir pour son commerce d'autres vaisseaux que ceux à elle appartenans, ou à nos sujets armez dans les ports de nostre royaume d'équipages François, où ils seront tenus de faire leurs retours, ny faire partir les dits vaisseaux des pays de sa concession pour aller à la coste de Guinée directement, sous peine d'estre déchué du present privilege et de confiscation des vaisseaux et des marchandises dont ils seront chargez.

XXI. Permettons aux vaisseaux de la dite compagnie mesme à ceux de nos sujets qui auront permission d'elle ou de ces directeurs, de courir sur les vaisseaux de nos sujets qui viendront traiter dans les pays à elle concedez en contravention de ce qui est porté par les presentes; et les prises seront jugées conformément aux reglemens que nous ferons à ce sujet.

XXII. Tous les effets marchandises, vivres, et munitions, qui se trouveront embarquez sur les vaisseaux de la compagnie, seront censez et réputez luy appartenir; à moins qu'il n'apparoisse par des connoissemens en bonne forme qu'ils ont esté chargez á fret par les ordres de la compagnie, ses directeurs ou préposez.

XXIII. Voulons que ceux de nos sujets qui passeront dans les pays concedez à la dite compagnie jouissent des mesmes libertez et franchises que s'ils estoient demeurans dans nostre royaume, et que ceux qui y naistront des habitans François du dit pays, et mesme des estrangers Européens faisant profession de la religion catholique, apostolique et Romaine, qui pourront s'y establir, soient censez et réputez regnicoles; et comme tels capables de toutes successions, dons, legs, et autres dispositions, sans estre obligez d'obtenir aucunes lettres de naturalité.

XXIV. Et pour favoriser ceux de nos sujets qui s'établiront dans les dits pays, nous les avons declaré et declarons exempts tant que durera le privilege de la compagnie, de tous droit, subsides, et impositions, tels qu'ils puissent estre, tant sur les personnes et esclaves que sur les marchandises.

XXV. Les denrées et marchandises que la compagnie aura destiné pour les pays de sa concession, et celles dont elle aura besoin pour la construction, armément, et avituaillement de ses vaisseaux, seront exemptes de tous droits tant à nous appartenans, qu'à nos villes, tels qu'ils puissent estre, mis et à mettre, tant à l'entrée qu'à la sortie; et encore qu'elles sortissent de l'estendue d'une de nos fermes pour entrer dans une autre, ou d'un de nos ports pour estre transportées dans un autre où se fera l'armement; à la charge que ces commis et préposez donneront leurs soûmissions de rapporter dans dix-huit mois, á compter du jour d'icelles, certificat de la décharge dans les pays pour lesquels

elles auront esté destinées; à peine, en cas de contravention, de payer le quadruple des droits; nous réservons de luy donner un plus long délay dans les cas et occurrences que nous jugerons à propos.

XXVI. Declarons pareillement la dite compagnie exempte des droits depeage, travers, passage, et autres impositions qui se perçoivent à nostre profit, és rivieres de Seine et de Loire, sur les fatailles vuides, bois marain, et bois à bastir vaisseaux, etautres marchandises appartenantes à la dite compagnie, en rapportant par les voituriers et conducteurs des certificats de deux de ces directeurs.

XXVII. En cas que la dite compagnie soit obligée pour le bien de son commerce de tirer des pays etrangers quelques marchandises pour les transporter dans les pays de sa concession, elles seront exemptes de tous droits d'entrées et de sortie, à la charge qu'elles seront deposées dans les magazins de nos douanes, ou dans ceux de la dite compagnie, dont les commis des fermiers generaux de nos fermes, et ceux de la dite compagnie auront chacun une clef, jusqu'à ce qu'elles soient chargées dans les vaisseaux de la compagnie qui sera tenue de donner sa soumission de rapporter dans dix-huit mois, à compter du jour de la signature d'icelle certificat de leur décharge esdits pays de sa concession, à peine en cas de contravention de payer le quadruple des droits, nous reservant lors que la compagnie aura besoin de tirer des dits pays estrangers quelques marchandises, dont l'entrée pourroit estre prohibée, de luy en accorder la permission si nous le jugeons à propos sur les estats qu'elle nous en presentera.

XXVIII. Les marchandise, que la dite compagnie fera apporter dans les ports de nostre royaume, pour son compte des pays de sa concession, ne payeront pendant les dix premieres années de son privilege, que la moitié des droits que de pareilles marchandise, venant des isles et colonnies Françoises de l'Amerique doivent payer, suivant nostre reglement du mois d'Avril dernier; et si la dite compagnie fait venir des dits pays de sa concession d'autres marchandises que celles qui viennent des dites isles et colonies Françoises de l'Amerique, comprises dans nostre dit reglement, elles ne payeront que la moitié des droits que payeroient d'autres marchandises de mesme espece et qualité, venant des pays estrangers, soit que les dits droits nous appartiennent, ou ayent esté par nous alienez à des particuliers. Et pour le plomb, le cuivre, et les autres métaux, nous avons accordé et accordons à la dite compagnie l'exemption entiere de tous droits, mis et à mettre sur iceux; mais si la dite compagnie prend des marchandises à fret sur ses vaisseaux elle sera tenue d'en faire faire la declaration aux bureaux de nos fermes par les capitaines dans la forme ordinaire, et les dites marchandises payeront les droits en entier. A l'égard des marchandises que la dite compagnie fera apporter dans les ports de nostre royaume dénomez en l'article XV du reglement du mois d'Avril dernier, ou dans ceux de Nantes, Brest, Morlaix, et Saint-Malo, pour son compte, tant des pays de sa concession, que des Isles Françoises de l'Amerique, provenant de la vente des marchandises du crû de la Louisianne, destinées à estre portées dans les pays estrangers, elles seront mises en

en dépost dans les magazins des douanes des ports où elles arriveront, ou dans ceux de la compagnie en la forme cy-dessus prescrite, jusqu'à ce qu'elles soient enlevées; et lorsque les commis de la dite compagnie voudront les envoyer dans les pays estrangers par mer ou par terre par transit, ce qui ne se pourra que par les bureaux désignez par nostre dit reglement du mois d'Avril dernier, ils seront tenus de prendre des acquits à caution, portant soûmission de rapporter dans un certain temps certificat du dernier bureau de sortie, qu'elles y auront passé, et un autre de leur décharge dans les pays estrangers.

XXIX. Si la compagnie fait construire des vaisseaux dans les pays de sa concession, nous voulons bien lorsqu'ils arriveront dans les ports de nostre royaume pour la premiere fois luy faire payer par forme de gratification sur nostre tresor royal six livres par tonneau pour les vaisseaux du port de deux cens tonneaux et au dessous, et neuf livres aussi par tonneau pour ceux de deux cens cinquante tonneaux et au dessus, et ce en rapportant des certificats des directeurs de la compagnie aux dits pays, comme les dits navires y auront esté construits.

XXX. Permettons à la dite compagnie de donner des permissions particulieres à des vaisseaux de nos sujets, pour aller traiter dans les pays de sa concession, à telles conditions qu'elle jugera à propos; et voulons que les dits vaisseaux munis des permissions de la dite compagnie, jouissent des mesmes droits, privileges, et exemptions que ceux de la compagnie, tant sur les vivres, marchandises, et effets, qui seront chargez sur iceux, que sur les marchandises et effets qu'ils rapporteront.

XXXI. Nous ferons délivrer de nos magazins à la dite compagnie tous les ans, pendant le temps de son privilege, quarente milliers de poudre à fusil qu'elle nous payera au prix qu'elle nous aura constè.

XXXII. Nostre intention estant de faire particisser au commerce de cette compagnie et aux avantages que nous luy accordons, le plus grand nombre de nos sujets que faire se pourra, et que toutes sortes de personnes puissent s'y interesser, suivant leurs facultez, nous voulons que les fonds de cette compaigne soient partagez en actions de cinq cens livres chacune, dont la valeur sera fournie en billets de l'estat, desquels les interests seront dûs depuis le premier jour du mois de Janvier de la presente année; et lorsqu'il nous sera representé par les directeurs de la dite compagnie, qu'il aura esté délivré des actions pour faire un fonds suffisant, nous ferons fermer les livres de la compagnie.

XXXIII. Les billets des dites actions seront payables au porteur, signez par le caissier de la compagnie, et visez par un des directeurs, il en sera délivré de deux sortes, sçavoir, des billets d'une action et des billets de dix actions.

XXXIV. Ceux qui voudront envoyer les billets des dites actions dans les provinces, ou dans les pays estrangers, pourront les endosser pour plus grande seureté, sans que les endossemens les obligent à la guarantie de l'action.

XXXV. Pourront tous les estrangers acquerir tel nombre d'actions qu'ils jugeront à propos, quand mesme ils ne seroient pas résidens dans nostre royaume; et nous avons déclaré et déclarons les actions appartenantes aux dits estrangers, non sujettes au droit d'aubeine ny à aucune

confiscation pour cause de guerre ou autrement; voulant qu'ils jouissent des dites actions comme nos sujets.

XXXVI. Et d'autant que les profits et pertes dans les compagnies de commerce n'ont rien de fixe, et que les actions de la dite compagnie ne peuvent estre regardées que comme marchandise, nous permettons à tous nos sujets, et aux estrangers en compagnie, ou pour leur compte particulier, de les acheter, vendre, et commercer, ainsi que bon leur semblera.

XXXVII. Tout actionaire porteur de cinquante actions aura voix déliberative aux assemblées, et s'il est porteur de cent actions, il aura deux voix; et ainsi par augmentation de cinquante en cinquante.

XXXVIII. Les billets de l'estat reçus pour le fonds des actions seront convertis en rentes au denier vingt-cinq, dont les interests coureront à commencer du premier Janvier de la presente année sur nostre ferme du controlle des actes des notaires, du petit sceau, et insinuations laïques, que nous avons hypotéqué et affecté, hypotequons et affectons, specialement au payement des dites rentes; en consequence il sera passé en nostre nom au profit de la dite compagnie, par les commissaires de nostre conseil que nous auron nommé à cet effet, des contracts de quarente mille livres de rente, perpetuelle et hereditaire; chacun faisant la rente d'un million au denier vingt-cinq, sur les quittances de finances qui en seront délivrées par le garde de nostre tresor royal en exercice la presente année, qui recevra de la dite compagnie pour un million de billets de l'estat à chaque payement, and ce jusqu'à concurrence des fonds qui seront portez pour former les actions de la dite compagnie.

XXXIX. Les arrerages des dites rentes seront payez, sçavoir, ceux de la presente année dans les quatre derniers mois d'icelle; et ceux des années suivantes en quatre payemens, égaux de trois mois en trois mois par nostre fermier du contrôle des actes des notaires, petit sceau, et insinuations laïques, au caisser de la dite compagnie sur ses quittances visées de trois des directeurs, qui luy fourniront copie collationée des presentes, et de leur nomination pour la premiere fois seulement.

XL. Les directeurs employeront au commerce de la compagnie les arrerages dûs de la presente année des contracts qui seront expediez au profit de la compagnie, leur défendons tres-expressément d'y employer aucune partie des interests des années suivantes, ny de contracter aucun engagement sur icelles; voulons que les actionaires soient regulierement payez des interests de leurs actions, à raison de quatre pour cent par année, à commencer du premier du mois de Janvier de l'année prochaine, dont le premier payement pour six mois se fera au premier Juillet prochain, et ainsi successivement.

XLI. Comme il est necessaire qu'aussi tost après l'enregistrement des presentes, il y ait des personnes qui prennent la regie de tout ce qu'il conviendra faire pour l'arrangement des livres, et des autres détails qui doivent former les commencemens de la dite compagnie, ce qui ne peut souffrir aucun retardement, nous nommerons pour cette premiere fois seulement les directeurs que nous aurons choisis à cet effet; lesquels auront pouvoir de regir and administrer les affaires de la dite

compagnie; laquelle pourra dans une assemblée generale après deux années revolués, nommer trois nouveaux directeurs ou les continuer pour trois ans, si elle le juge à propos; et ainsi successivement de trois ans en trois ans, lesquels directeurs ne purront estre choisis que François ou regnicoles.

XLII. Les directeurs arresteront tous les ans à la fin du mois de Decembre le bilan general des affaires de la compagnie, après quoy ils convoqueront par une affiche publique l'assemblée generale de la dite compagnie, dans laquelle les repartitions des profits de la dite compagnie, seront resolués et arrestées.

XLIII. Attendu le grand nombre d'actions dont la dite compagnie sera composée, nous jugeons necessaire pour la commodité de nos sujets d'establir un tel ordre dans les payemens, tant les interests, que des repartitions, que chaque porteur d'actions puisse scavoir le jour qu'il pourra se presenter à la caisse pour recevoir sans remise ny delay ce qui luy sera dû. Pour cet effet voulons que les rentes des dites actions, ensemble les repartitions des profits provenans du commerce, soient payées suivant les numero des dites actions, en commençant par le premier sans que la compagnie puisse rien changer à cet ordre; et que les directeurs fassent afficher à la porte du bureau de la dite compagnie, et inserer dans les gazette publiques les numero qui devront estre payez dans la semaine suivante.

XLIV. Les actions de la compagnie, ny les effets d'icelle, ensemble les appointemens des directeurs, officiers, et employez de la dite compagnie ne pourront estre saisis par aucune personne et sous quelque prétexte que ce puisse estre, pas mesme pour nos propres deniers et affaires; sauf aux creanciers des actionaires à faire saisir et arrester entre les mains du caissier general, et teneur de livres de la dite compagnie ce qui pourra revenir aux dits actionaires par les comptes qui seront arrestez par la compagnie aux quels les creanciers seront tenus de se rapporter, sans que les dits directeurs soient obligez de leur faire voir l'estat des effets de la compagnie, ny de leur rendre aucun compte ny pareillement que les dits creanciers puissent establir des commissaires, ou gardiens, aux dits effets; déclarant nul tout ce que pourroit estre fait à ce préjudice.

XLV. Voulons que les billets de l'estat qui seront remis au garde de nostre tresor royal par la dite compagnie d'occident soient par luy portez à l'hostel de nostre bonne ville de Paris, auquel lieu en presence du sieur Bignon, conseille ordinaire en nostre conseil d'estat, ancien prevost des marchands; du sieur Trudaine, conseiller en nostre conseil d'estat, prevost des marchands en charge; des sieurs de Serre, le Virloys, Harlan, et Boucot, qui ont signé les billets de l'estat avec eux, et des officiers municipaux du dit hostel de ville qui s'y trouveront, ou voudront s'y trouver, les dits billets de l'estat seront bruslez publiquement, incontinent après l'expedition de chaque contract, après en avoir dressé procez verbal, contenant les registres, numero, et sommes, en avoir fait mention sur les dits registres et les en avoir déchargé; lequel procez verbal sera signé des dits sieurs prevosts des marchands et autres dénommez au present article.

XLVI. Les directeurs auront à la pluralite des voix la nomination de tous les emplois, et des capitaines, et officiers servans sur les vaisseaux de la compagnie; aussi bien que des officiers militaires, de justice, et autres qui seront employez dans les pays de sa concession; et pourront les révoquer lorsqu'ils le jugeront à propos: et les dites nominations de tous les dits officiers et employez seront signées au moins de trois des directeurs; ce qui sera pareillement observé pour les revocations.

XLVII. Ne pourront les dits directeurs estre inquietez ny constraints en leurs personne et biens pour les affaires de la compagnie.

XLVIII. Ils arresteront tous les comptes tant des connuis et employez en France que dans les pays de la concession de la compagnie, et des correspondans lesquels comptes seront signez au moins de trois des dits directeurs.

XLIX. Il sera tenu de bons et fidels journaux de caisse, d'achats, de ventes, d'envois, et de raison en parties doubles, tant dans la direction generale de Paris, que par les commis et commissionaires de la compagnie, dans les provinces et dans les pays de sa concession, qui seront cottez et paraphez par les directeurs auxquels sera ajousté foyen justice.

L. Nous faisons don à la dite compagnie des forts, magazins, maisons, canons, armes, poudres, brigantins, bateaux, pirogues, et autres effets et ustenciles que nous avons presentement à la Louisianne, dont elle sera mise en possession sur nos ordres qui y seront envoyez par nostre conseil de marine.

LI. Nous faisons pareillement don à la dite compagnie des vaisseaux marchandises et effets que le sieur Crozat nous a remis, ainsi qu'il est explique par l'arrest de nostre conseil du vingt-troisième jour du present mois, de quelque nature qu'ils puissent estre, et à quelque somme qu'ils puissent monter, à condition de transporter six mille blancs, et trois mille noirs au moins, dans les pays de sa concession pendant la durée de son privilege.

LII. Si, après que les vingt-cinq années du privilege que nous accordons à la dite compagnie d'occident seront expirées, nous ne jugeons pas à propos de luy en accorder la continuation toutes les isles et terres qu'elle aura habitées, ou fait habiter avec les droits utiles, cens et rentes qui seront dues par les habitans, luy demeureront à perpetuité en toute proprieté pour en faire et disposer ainsi que bon luy semblera, comme de son propre heritage, sans que nous puissions retirer les dites terres ou isles, pour quelque cause, occasion, ou prétexte que ce soit; á quoy nous avons renoncé dès-à-present; à condition que la dite compagnie ne pourra vendre les dites terres à d'autres qu'à nos sujets; et à l'égard des forts, armes, et munitions, ils nous seront remis par la dite compagnie, à laquelle nous en payerons la valeur suivant la juste estimation qui en sera faite.

LIII. Comme dans l'establissement des pays concedez à la dite compagnie par ces presentes, nous regardons particulierement la gloire de Dieu en procurant le salut des habitans, Indiens sauvages et negres, que nous desirons estre instruits dans la vraye religion; la dite compagnie sera obligée de bastir à ces dépens des eglises

dans les lieux de ces habitations; comme aussi d'y entretenir le nombre d'ecclesiastiques approuvez qu'il sera necessaire, soit en qualité de curez, ou tels autres qu'il sera convenable pour y prescher le Saint Evangiles, faire le service divin, et y administrer les sacremens: le tout sous l'autorité de l'Evesque de Quebec; la dite colonnie demeurant dans son diocese, ainsi que par le passé et seront les curez et autres ecclesiastiques que la dite compagnie entretiendra à sa nomination et patronage.

LIV. Pourra la dite compagnie prendre pour ses armes un ecusson de sinople, à la pointe ondée d'argent sur laquelle sera couché un fleuve au natural. appuyé sur une corne d'abondance d'or au chef d'azur semé de fleurs de lys d'or, soûtenu d'une face en devise aussi d'or, ayent deux sauvages pour supports, et une couronne trefflée; lesquelles armes nous luy accordons pour s'en servir dans ses sceaux et cachets; et que nous luy permettons de faire mettre et apposer à ses edifices, vaisseaux, canons, et par tout ailleurs où elle jugera à propos.

LV. Permettons à la dite compagnie de dresser et arrester tels statuts et reglemens qu'il appartiendra pour la conduite et direction de ses affaires et de son commerce, tant en Europe que dans les pays à elle concedez; lesquels statuts et reglemens nous confirmerons par lettres patentes, afin que les interressez dans la dite compagnie soient obligez de les executer selon leur forme et teneur.

LVI. Comme nostre intention n'est point que la protectiou particuliere que nous accordons à la dite compagnie puisse porter aucun préjudice à nos autres colonnies, que nous voulons également favoriser, défendons à la dite compagnie de prendre ou recevoir sous quelque pretexte que ce soit aucun habitant estably dans nos colonnies, pour les transporter à la Louisianne, sans en avoir obtenu la permission, par écrit, de nos gouverneurs generaux aux dites colonnies, visées des intendans ou commissaires ordonnateurs.

Si donnons en mandement à nos amez et feaux conseillers les gens tenans nostre cour de parlement, chambre des comptes, et cour des aydes, à Paris, que ces presentes ils ayant à faire lire, publier, et registrer; et le contenu en icelles, garder, observer, et executer, selon leur forme et teneur; nonobstant tous edits, declarations, reglemens, arrests, ou autres choses à ce contraires, auxquelles nous avons dérogé et derogeons par ces presentes, aux copies desquelles collationées par l'un de nos amez et feaux conseillers secretaires, voulons que foy soit ajoustée comme à l'original, car tel est nostre plaisir; et à fin que ce soit chose ferme et stable à toujours nous avons fait mettre nostre scel à ces dites presentes.

Donne à Paris au mois d'Aoust, l'an de grace mil sept cens dix sept, et de nostre regne le deuxieme. Signé, Louis. Et plus bas, par le Roy, le Duc d'Orleans, regent present. Phelypeaux. Visa, Daguesseau. Veu au conseil, Villeroy. Et scellé du grand sceau de cire verte en lacs de soye rouge et verte.

Registrées, ouy et ce requerant le procureur general du Roy, pour estre executées selon leur forme et teneur, sans neantmoins que les statuts qui seront cy-apres dressez par la compagnie d'occident puissent

avoir execution qu'après avoir esté confirmez par lettres patents du Roy, registrées en la cour; et copies collationées des presentes lettres estre envoyées aux bailliages et seneschaussées du ressort, pour y estre lûes, publiées, et registrées; enjoint aux substituts du procureur general du Roy d'y tenir la main et d'en certifier la cour dans un mois. A Paris en parlement, le six Septembre, mil sept cens dix-sept. Signé, Gilbert.

A Paris, chez la veuve de François Muguet, Hubert Muguet, premier imprimeur du Roy, et Louis Denis de la Tour, libraire, rue de la Harpe aux Trois Rois, 1717.

Le chef du bureau des archives et bibliotheque du ministres de la marine et des colonnies, certifie que le texte imprimé ci-dessus et d'autres parts, (en douze pages numeratées et paraphées au bas,) reproduit littéralement, sauf les mots quinze cents, substitués par erreur aux mots cent cinquante dans l'article XVI, la teneur des LVI articles des lettres patentes en forme d'edit portant établissement d'une compagnie de commerce, sous le nom de Compagnie d'Occident, dont copie originale est déposée aux dites archives. La dite copie close et signé ainsi qu'il suit.

"Fait et arrêté au conseil de marine, au mois d'Aout, 1717.

(Signé) L. A. DE BOURBON,
(Signé) LE MARECHAL D'ESTREES.

Par le conseil :

[L. s.] (Signé) LA CHAPELLE."

Paris, le 19 Juillet, 1850. GIRETTE.

Le ministre de la marine et des colonnies, certifie que la signature apposee ci-dessus est celle de Mr. Girette, chef du bureau des archives et bibliotheques, et que foi doit y être ajoustée tant en jugement que hors. A Paris, le 19 Juillet, 1850.

Pour le ministre et par son ordre.

Le directeur du secretariat general et de la comptabilité.

[L. s.] NAUCHAREZ.

Douzieme et dernier page.

2. The grant of the company to Philip François Renault, which is as follows :

Grant to Renault.

L'an mil sept cent vingt-trois, et le quatorze Juin, accordé à Mr. Renault en franc à lieu pour faire ses etablissemens sus les mines.

Une lieue et demie de terrain de face sur le petit Maramecq dans la re. Maramecq, à l'endroit de la première branche que conduit au cabanage nommé le cabanage la Renaudière, sur six lieues de profondeur la rivière faisant le milieu du rhumb de vent et le ruisseau au plomb jusqu'au le Sr. Renault a son fourneau, et de la droit à l'endroit nommé la grande mine.

Une lieue de face à Pimiterry dans la rivière des Illinois regardant à l'est et tenant au lac qui porte le nom du village, et de l'autre aux

côtes vis-à-vis le village à une demi lieue au dessus sur cinq lieues de profondeur, le rhumb de vent suivant la rivière de Illinois en descendant d'un côté et remontant par celle d'Aresey qui en fera le milieu dans le reste de la profondeur.

Deux lieues de terrain sur la mine appelé la mine de Mr. La Motte, la face regardant le nord et la prairie de la dite mine, faisant le pointe milieu de ses deux lieues.

Une lieue de face sur le Mississipy à l'endroit appélé le grand marest tenant d'un côté aux sauvages Illinois, établis auprès du fort de Chartres, sur deux lieues de profondeur, cet endroit étant l'emplacement qui lui a été accordé pour faire des vivres, et en pouvoir fournir à toutes les habitations qu'il fera sur les mines. Le jour et an que dessus au fort de Chartres.

BOISBRIANT,
Des Ursins.

The foregoing eighteen pages are copies of grants in a book in this office, which is endorsed "Concession book B," grants, &c., and is now appertaining to this office among the old French documents. July 5th, 1842. Kaskaskia, Randolph county, Illinois.

[L. S.] ROBERT MANN,
Recorder, Randolph county, Illinois.

STATE OF ILLINOIS,
Randolph county, ss.

Personally appeared before me, F. Maxwell, clerk of the county commissioners' ccurt of Randolph county, Savenien St. Vrain, of the aforesaid county and State, and after being duly sworn on the evangelist of Almighty God, deposeth and says, that he has examined and compared the foregoing copies of grants at the period of the certificate of Robert Mann, who was recorder of the county of Randolph, State aforesaid, and that the said copies are from the original now in the recorder's office aforesaid; and further the deponent saith not.

SAVENIEN ST. VRAIN.

Given under my hand and the seal of said court, this 3d day of April, 1845.

[L. S.] F. MAXWELL, *Clerk.*

Translation of grant to Renault.

3. A translation of the grant, which translation is as follows, to wit:

In the year one thousand seven hundred and twenty-three, and on the fourteenth of June, granted to Mr. Renaut, in freehold, for the purpose of forming his establishment on the mines:

One league and a half of ground, fronting on the Little Maramecq, on the river Maramecq, at the place of the first arm (branch or fork) which leads to the collection of cabins called the "Cabanage de la Renaudiere," by six leagues (18 miles) in depth, the river forming the

middle of the point of compass, and the streamlet being perpendicular as far as where Mr. Renaut has his furnace; and thence straight to the place called the Great Mine.

One league in front at Pimitoucq, on the river of the Illinois, facing the east and bordering on the lake which bears the name of the village, and on the other (side) on the heights opposite to the village half a league above, by five leagues in depth, the point of the compass following on one side the river of the Illinois in its descent, and ascending by that (the river) of Areoucq which shall form the middle of it in the remainder of the depth.

Two leagues of ground on the mine called the mine of Mr. La Mothe, fronting on the north, and the prairie of the said mine forming the middle point of his two leagues.

One league fronting on the Mississippi, at the place called the Great Marsh, (or swamp,) bordering on one side of the Illinois Indians, settled near Fort Chartres, by two leagues in depth, this place being the site which has been granted to him to raise provisions and to be enabled to furnish them to all the habitations (settlements) which he shall form on the mines.

The year and day as above, at Fort Chartres.

BOISBRIANT,
DES URSINS.

4. Boisbriant, commandant at Mobile, 27th Sept., 1717, which is in the following words and figures, to wit:

Minister of the marine and of the colonies.

Extract from the register entitled the expedition of Louisiana, from 1712 until January, 1721, (vol. 1, folio 89,) deposited in the archives.

Secretary general.

Bureau of the archives.

His majesty esteeming it necessary to provide for the command for the province of Louisiana, in case of absence or in default of Sieur Lemoine de Bienville, and the Company of the West having presented to his majesty the Sieur Boisbriant, commandant on the river Mobile, to command in the cases above mentioned in the said province.

20th of September, 1717.

Order of the Sieur Boisbriant to command in Louisiana, in the absence or in default of the Sieur de Bienville.

His majesty, by the advice of Monsieur the Duke of Orleans, his uncle, regent, wills and intends that in case of absence and in default of the said Sieur de Bienville, the said Sieur de Boisbriant shall have the command of the said province of Louisiana.

Executed in Paris, September 20th, 1717.

(Signed) LOUIS,
And below PHILLIPPEAUX.

I, the undersigned, Alexander Louis Marie Regnier, knight of the royal order of the legion of honor, chief of the bureau of the archives of the marine and the colonies, certify to all it may concern, that the extract of the other side corresponds to the order of command

entered in the said register, duly marked and signed, deposited in the archives.

Paris, March 21st, 1838. REGNIER.

The minister secretary of State in the department of the marine and colonies, certifies, that the signature here above is that of Sieur Regnier, chief of the bureau of the archives of the marine and colonies, and that it should be credited as well in law as out. Paris, March 21st, 1838.

For the minister and by delegation, the secretary general of the office of the marine and colonies.

CHAUCHEPRAT.

The minister of foreign affairs truly certifies the signature here above is that of Mr. Chaucheprat. Paris, 17th of April, 1838.

By authorization of the minister, the chief of the bureau of chancery.

DE LAMARRE.

The envoy extraordinary and minister plenipotentiary from the United States of America, truly certifies the signature here above is that of Mr. De Lamarre, chief of the bureau of chancery of the minister of foreign affairs.

Paris, 9th of May, 1838.

LEW. CASS.

5. Boisbriant and De Ursins, council to work the mines, which is in the following words and figures.

Minister of the marine and of the colonies

Extract from the report of the Indies expedition for Louisiana, vol. 1, folio 229.

Deposited in the archives.

Secretary general.

Bureau of the archives.

Extract of the order which the Company of West wish to be observed in the working of the mines that are to be opened in Illinois.

26th of August, 1718.

Council for the working of the mines in Illinois.

Composed of the Sr. de Boisbriant and La Loyre des Ursins, &c.

The orders that the company will send to Mr. Boisbriant, who is to command in Illinois, and to Sieur de le Loyre des Ursines, principal director, destined for this post, and those they will receive from M. M. the directors general in the colony for the working of the mine,s shall be executed by the deliberations of a council that shall be composed of said Sieur de Boisbriant, (or of him who may be sent to command in his place,) of Sieur la Loyre des Ursines, principal director, of Mr. Simon, other director, &c., &c.

Executed at the hotel of the company of the Indies, August 26th, 1718.

I, the undersigned, Alexander Louis Marie Regnier, knight of the royal order of the legion of honor, director of the office of the archives of the marine and colonies, certify to all whom it may concern, that

the extract on the other side corresponds with the register duly signed and marked deposited in the archives. Paris, May the 14th, 1838.

REGNIER.

The minister secretary of state, in the department of the marine and the colonies, certifies that the signature here above is that of Sieur Regnier, director of the office of the archives of the marine and the colonies, and it should be credited as well in law as out.

Paris, May 14, 1838.

For the minister and by delegation, the secretary general of the office of the marine and the colonies.

CHAUCHEPRAT.

The minister of foreign affairs truly certifies the signature here above is that of Mr. Chaucheprat.

By authorization of the minister, the director of the office of chancery.

DE LAMARRE.

The envoy extraordinary and minister plenipotentiary from the United States of America, truly certifies the signature here above is that of Mr. De Lamarre, director of the office of chancery of the foreign affairs. Paris, May 23d, 1838.

LEW. CASS.

Ordinance 19*th March*, 1741.

6. Ordinance published at Kaskaskia, 19th March, 1741, which is as follows, to wit:

On the part of the king.

We, Louis Auguste de la Loire Flancourt, principal purser of the navy, and sub-delegate of Mr. Salmon, ordonnateur of Louisiana, in consequence of the orders we have received from Mr. De Bienville, governor of this province, and Salmon, ordonnateur of said province, require that all inhabitants of the parish of the Immaculate Conception shall return to the office of him who exercises the functions of commissaire of Fort Chartres, all the titles they may have obtained of all the lands conceded to them, and for the ground conceded to them for dwellings in the village of Kaskaskia, to the office of him who exercises the functions of ordonnateur; and that they give them copies according to the requirements of the ordinance; and that for the security of him the lands are granted to, the said inhabitants and others shall be obliged to bring their titles immediately after the despatch of this order, so that they may by the series form a book, in order that the inhabitants may have no difficulty together; and in default of any one not bringing the titles he has to the property conceded to him, the lands shall return to the domain of the king; and, finally, that no one

may pretend ignorance of the ordinance, it shall be published and posted up every where it shall be necessary.

In Kaskaskia, March 17, 1741.

DE LA LOIRE FLANCOURT.

Read, published, and posted on the principal doors of the church of Kaskaskia, a copy of these presents by us undersigned recorder, for want of a summoner, the 19th of March, of the above year, at the hour of high mass, the people going out in a crowd.

BARRIOT.

Notice of Renault's claim.

7. Notice to recorder of land titles, Renault's claim, which is as follows, to wit:

To Frederick Bates, esquire, recorder of land titles for the territory of Louisiana:

SIR: Please to take notice that I claim as a complete title for Jean Baptiste François Meyneurd, and Amelia Joseph Renault, his wife, *his wife* of the empire of France, the lineal heir and legal representative of Monsieur Renault, "ancien directeur aux Illinois," the two following tracts of land, situate and lying within the district of Saint Genevieve, in the territory aforesaid, specially located and described in the words following, viz., "une lieue et demie de terrein de face sur le petit Marameig à l'endroit de la premiere branche qui conduit au cabanage nomme le cabanage la Renaudiere, sur six lieux de profondeur, la riviere faisant le milieu du rhomb de vent et le ruisseau au plomb jusqu' au le Sieur Renaut a son torneau et de l'endroit nomme à la grand mine deux lieues de terrain sur le mine appelle le mine de M. La Mothe, la face regardant le nord, et la prairie de la dite mine faisant le point milieu de ses deux lieues," which several tracts of land are of right (by legal inheritance) the property of the said Jean Baptiste François Mayneared and Amelia Joseph Renaut, by virtue of the original grant made "en franc à lieu" (in liberum allodium) unto the said Monsieur Renau, the grandfather of the said Amelia Joseph Renaut. Bearing date at Fort Chartres, the 14th day of June, 1723, a certified copy of which is hereunto annexed, and which I request you to record.

SETH HUNT, attorney to
J. B. F. MAYNEARED, and
AMELIA JOSEPH RENAUT.

St. Louis, 10th February, 1808.

L'an mil sept cent vingt trois, et le quatorze Juin, accordé à M. Renaut en franc à lieu pour faire ses établissemens sur les mines une lieue et demie de terrain de face sur le petit *Muruncuy*, dans R. de Maramecq à l'endroit de la premiere brance qui conduit au cabanage, nomme le cabanage la Renaudiere, sur six lieues de profondeur, la

faisant le milieu du rhomb de vent, et le ruisseau au plomb jusqu'au le Sr. Renault a son fourneau et de la droit à l'endroit nomme la grand mine; une lieux de face à Pimitroy dans la riviere des Illinois, regardant à l'est, et tenant au lac qui porte le nom du village, et de l'autre aux cotes vis-a-vis le village à une demie lieue au dessus sur cinq lieues de profondeur, le rhomb de vent suivent la riviere des Illinois, en descendant d'un coté, et en montant par celle d'Aresey qui en fera le milieu dans le reste de profondeur. Deux lieues de terrain sur la mine appelle la mine de M. La Mothe, la face regardant le nord, et la prairie de la dte. mine faisant la point milieu de ses deux lieues, une lieue de face sur le Miss[iss]ippi, à l'endroit appelle le grand marest, tenant d'un coté aux sauvages Illinois, etabli au pres du Fort de Chartres, sur deux lieues de profondeur aux environt etant l'emplacement qui lui a été accordé pour faire des vivres et en pouvoir fournir à toutes les habitations qu'il fera sur les mines; le jour et an que dessus; au Fort de Chartres.

(Signed) BOISBRIANT,
DES URSINES.

I, Robert Morrison, recorder of the county of Randolph, in the Indiana territory, certify the above to be a true copy of the original in my office, extracted from book B, page 18.

ROBERT MORRISON.

RECORDER'S OFFICE,
St. Louis, Missouri, April 17, 1846.

I do hereby certify the above to have been truly transcribed from record book D, page 36, as the same remains of record in this office.

LOREN. SPENCER,
U. S. recorder of land titles in the State of Missouri.

Evidence to prove the heirship of the plaintiffs, which is as follows, to wit:

The commission to Robert Rose, to take depositions in France, is as follows, to wit:

Commission to Robert Rose.

MISSOURI DISTRICT, *sct:*

The President of the United States, to Robert Rose, esq., greeting:

Know ye, that the circuit court of the United States, in and for the district of Missouri, trusting to your fidelity and provident circumspection in diligently examining witnesses, by the taking of depositions in the republic of France, to be read as evidence upon the trial of a suit at law pending in said court, wherein Augustine Anne Louise Dervise, Hyacinthe Adela Mayneaud de Pancremont, countess de Tournon, Seraphine Carpentier, widow of Oliver Louis Martin, Charles Alexander Martin, Janie Marie Seraphin Martin, Jacques François, Justinia François, who are aliens and subjects of the kingdom of France,

and Antoine Joseph Servais, who is also an alien and a subject of the kingdom of Belgium, are plaintiffs, and Benjamin Ruggles, a citizen of Missouri, is defendant, did, on the 30th day of April, 1850, appoint you a commissioner to take said depositions in the republic of France, to be read in evidence in said suit. These are, therefore, to command you, that on such certain days, and at such certain places as you shall appoint, you shall cause to come before you the necessary witnesses, and them diligently examine on oath touching the matter in controversy in said suit, and their examination unto our said court, distinctly and plainly, without delay, you shall send, and certify enclosed, returning also to us this writ.

Witness the honorable Roger B. Taney, chief justice of the Supreme Court of the United States, this 10th day of May, 1850. Issued at office, in the city of St. Louis, with the seal of said court, the day and year last aforesaid.

[S. L.]

BEN. F. HICKMAN, *Clerk.*

The commission of Robert Rose, to take depositions in the kingdom of Belgium, is as follows:

Commission to Robert Rose.

MISSOURI DISTRICT, *sct:*

The President of the United States, to Robert Rose, esq., greeting:

Know ye, that the circuit court of the United States, in and for the district of Missouri, trusting to your fidelity and provident circumspection in diligently examining witnesses, by the taking of depositions in the kingdom of Belgium, to be read in evidence upon the trial of a suit at law pending in said court, wherein Augustine Anne Louise Dervise, Hyacinthe Adela Maynaud de Pancremont, countess de Tournon, Seraphine Carpentier, widow of Oliver Louis Martin, Charles Alexander Martin, Janie Marie Seraphin Martin, Jaques François, Justinia François, who are aliens and subjects of the kingdom of France, and Antoine Joseph Servais, who is also an alien and a subject of the kingdom of Belgium, are plaintiffs, and Benjamin Ruggles, a citizen of the State of Missouri, is defendant, did, on the 30th day of April, 1850, appoint you commissioner, to take said depositions in the kingdom of Belgium, to be read in evidence in said suit. These are, therefore, to command you, that on such certain days, and at such certain places as you shall appoint, you shall cause to come before you the necessary witnesses, and them diligently examine on oath touching the matter in controversy between the parties in said suit, and their examination unto our said court, distinctly and plainly, without delay, you shall send, and certify enclosed, returning also to us this writ.

Witness the honorable Roger B. Taney, chief justice of the Supreme Court of the United States, this 10th day of May, 1850. Issued at office, in the city of St. Louis, with the seal of said court, the day and year last aforesaid.

[L. S.]

BEN. F. HICKMAN, *Clerk.*

The report of Robert Rose, the commissioner, is as follows, to wit:

Report of Robert Rose, commissioner.

UNITED STATES OF AMERICA,
District of the State of Missouri.

By virtue of an order, made by the honorable circuit court of the United States, in and for the district of Missouri, at the April term, 1850, of said court, appointing me commissioner, to take testimony in the republic of France and kingdom of Belgium, to be read in evidence in a certain cause in said court depending, between the heirs of Philip François Renaut, plaintiffs, and Benjamin Ruggles, defendant; and in pursuance of the commissions issued from said court, and hereto annexed, I, Robert Rose, the commissioner appointed as aforesaid, do hereby certify, that I proceeded to the republic of France and kingdom of Belgium to execute the said commission; that I examined faithfully and carefully the public archives and places of keeping the records of the marriages, births, and deaths of persons who are or were citizens and subjects of said republic of France and kingdom of Belgium, appointed by law as such archives and public depositories, and that I obtained therefrom the annexed documents, designated respectively from No. 1 to , and made a part of this my return to said commission; and that said documents, so respectively designated as aforesaid, contains all the evidence that could be obtained or found by me, in reference to the matters and things therein contained, in any of the places of keeping the public records as aforesaid.

And I do further certify, that each and all of the said documents before referred to by me are true and correct copies from the originals on file in the public offices, therein specified and made out and certified by the respective keepers or officers thereof, made out and sealed by them in conformity to the laws and regulations of said republic and kingdom providing for the keeping of the public records thereof; that I myself carefully, faithfully, and diligently, examined and inspected the originals of said documents in the offices aforesaid, and compared them with the copies herewith filed, and that the same are true and exact copies from the originals on file in said offices; and that the same are, in every respect, such as to render them evidence in the tribunals and courts of France and Belgium for the purposes to be established by them, they being made out, certified, and sealed, by said keepers of the public records of said republic and kingdom, under oath of office.

And I do further certify, that the annexed affidavit, marked A, of Julius, Count de Menou, late chargé d'affaires from his late majesty Charles the tenth, king of France, at Washington city, was duly taken and subscribed before me at the time and place therein specified, by virtue of the power vested in me as commissioner as aforesaid, and that the said affidavit, so made, contains the time, mode, and manner in which such documents, as therein referred to, are certified, obtained, and granted by the officers of the law and the keepers of records in the republic of France and kingdom of Belgium, in conformity to their

laws, and to be used as evidence in legal proceedings when thereto required. And, furthermore, that each and all of the said documents above referred to, and herewith exhibited, have been and remained in my possession ever since the reception of them from the proper officers, and that neither of them has, in any way or manner, been altered, changed, or added to, since the same have been in my custody, but are presented in the exact state in which they were received by me.

In testimony whereof I have hereunto set my hand and seal, as commissioner, this 16th day of April, 1851, at the city of St. Louis.

ROBERT ROSE, *Comm'r.*

The affidavit marked A is as follows, to wit:

Affidavit of Count de Menou.

Be it remembered, that, on the twelfth day of October, in the year 1850, personally appeared before the subscriber, in London, Julius, Count de Menou, formerly chargé d'affaires from his late majesty Charles the tenth, king of the French, at Washington, but now a citizen of the French republic, resident in Paris, who deposed and stated as follows: That the commission issued in this cause from the circuit court of the United States, in and for the district of Missouri, to Robert Rose, esq., was exhibited to him, the said Count de Menou, in Paris, and the objects of the said commission explained by said Robert Rose to him, who thereupon accompanied the said commissioner to various places in France and Belgium, where the said commissioner desired to obtain certificates of the marriages, baptisms, [and] burials, from the legally authorized officials and keepers of the archives; and that the deponent, together with the said Robert Rose, communed with the said keepers of the archives, who exhibited to them the originals of the said entries of marriages, baptisms, and burials, and made, or caused to be made, all and singular the copies of the same, which are now annexed in a schedule marked A, now returned by said commissioner, Robert Rose, esq., to the said honorable court under the said commission.

And deponent saith, that *that* the certificates of said marriages, baptisms, and burials, are true and faithful copies of the said original entries of the same respectively, and that said copies are now annexed to said commission, and are contained in the said schedule, and are numbered respectively from No. 1 to No. 62.

And said deponent further states, that the mode of proceeding customary in France is freely and faithfully to grant such copies, made by such officials and keepers of the archives, but that they do not annex any affidavit to the same. Wherefore this deponent accompanied the said commissioner, and witnessed the faithful execution, by said Robert Rose, of the trust reposed in him, and also the true and faithful granting of said copies by said keepers of the archives respectively, and knows and believes the same to be faithful and true copies from said originals, of the said marriages, baptisms, and burials; and that the same, both originals and copies, are entitled to the fullest faith and

credit in all courts and jurisdictions, and that the said copies are made in faithful execution of the trust reposed in the said commissioner.

C. J. DE MINOU.

Signed and sworn in the presence of David Hoffman, 43 Upper Brook street, Grosvenor square, London, 12th day of October, 1850, and ROBERT ROSE, *Com'r.*

Translations of entries relating to births, marriages, and burials.

The following are the papers numbered from No. 1 to No. 62, above referred to, to wit:

Extract of the register of the acts of marriage of the commune of Eppe Sauvage, year 1710.

No. 1.

The 2d March were joined in marriage, after the publication of the bans, the Sieur Philippe Renaut and Demoiselle Marie Celestine Polchet; present, Leopold Polchet, Ilmbour Manueil, Demoiselle Theresa Monte.

A true copy.

Eppe Sauvage, 2d August, 1850.

NOULIN,
Mair of the communée.

No. 2.

Extract of the register of the acts of deaths of the commune of Estree, en Chaussie, for the year 1755.

The year 1755, the 25th of the month of April, the body of Monsieur Phillippe François Renaut, ancient director in the Illinois, deceased yesterday at the priory of Lautin, aged 70 years and one month, fortified by the sacraments of the church, and buried in the cemetery of this parish by M. John Deguier, curate of the parish of Athier, at the priory of the sieur prior of this parish, in presence of M. Louis Carpentier, prior, curate of Douainy, M. Lovendelbus, prior, curate of Vraigne, M. Hyacinth Duriez, prior, curate of Castignes, and of the sieur prior of this parish, who have signed this instrument, made in duplicate the day and year as above.

Signed DURIEZ,
Pr. Curé of Castigny.
CURÉ OF ATHIER.
CARPENTIER,
Prior of Domgt.
And RENAUT,
Prior of Lautin.

A true copy.

Peronne, 24th July, 1850. ZENTI,
Com'r clerk of the tribunal.

We, president of the civil tribunal of Peronne, certify that the signature above is that of M. Lutee, commis'd clerk of thir tribunal.

Peronne, 24th July, 1850.

Sr. the president emp'l.

Y DE AUROY, *Judge.*

No. 3.

In the name of the most holy Trinity.

The year 1741, 31st October, before us, Martin Joseph Tuzlett, royal notary at this post of Mauberge, and homme de fiel de Hainaut, and John Baptiste Compagnie, also homme de fiel de Hainant, residents, the first at Eppe Sauvage, and the second at Consolre, the undersigned; present, the Sieur Phillippe Renaut, master of the forges established at said Consolre, sick of body but sound in mind, having full judgment, memory, and understanding, and also that he has appeared before the said notary and homme de fie, who, not willing to die intestate, has made and dictated his will in the form and manner following, revoking all other wills and dispositions to the contrary. The said testator institutes for his universal heirs of all his moveable property, effects, and actions, &c., wherever they may be known or situated, with the exception of the utensils and other tools at the forge, foundry, and mill, as far as they can be considered moveable, his grandchildren, children of the Sieur Phillippe François Renaut, his son, and of Demoiselle Marie Celestine Polchet, named at the holy fount of baptism, Philippe François, Leopold, Thomas, Augustine, Marie Caroline, and Marie Celestine Renaut, to be divided among them in equal portions, not calling his said son, the Sieur Philippe Renaut, to any part of his succession, his intention being that he is to be content with what he has assigned him by the act of Mambourme, heretofore made. The said testator instructs said Sieur Philippe François Renaut, his grandson, to pay annually to Domine Leopold Renaut, his brother, a regular canon of St. Genevieve, of Paris, the sum of fifteen florins for each year, in the form of a pension for life, during the life of the said Domine Leopold solely. Thus made, dictated, and named by the said *by the said* testator, without suggestion or inducement from the said notary, who has written it, and after having read and re-read it to him, in the presence of the said freeholders, he declared that he fully understood it, and persisted in saying that it was his last and only will. Made at the Consolre, in his house, in the room next to the kitchen, the day and the year above mentioned, and signed with us, royal notary and freeholders above mentioned. Have signed as in the original.

RENAUT,
J. B. COMPAGNIE,
MARTIN VIRLET,
Notary Royal.

The year of our Lord one thousand eight hundred and fifty, the twenty-sixth day of August, the present literal extract was transcribed

and delivered by Mr. François Alphonse Froissart, notary of Maubeuge township (arrondissement) of Axesms, department of the north.

Signed as the successor of the former notary of Maubuge.

FROISSART.

No. 4.

Extract of the register of the acts of marriage, baptisms, and burials of the commune of Consolre, for the year 1762, in the keeping of the clerk of the civil tribunal sitting at Aveanes (north).

The year 1762, the 16th of February.

M. Thomas Renaut, ancient guard of the King, captain of cavalry, aged 42 years, son of the Sieur Philippe Renaut and of Demoiselle Celestine Polchet, died on the 15th, and was buried in the church of this parish, followed by his brother and his domestic.

Signed RENAUT,
NICAISE ST. GORIS, *Curate*.

A true extract, delivered by the undersigned, clerk of the civil tribune of Avesnes, the 3d of August, 1850.

CARNIAUX, *the clerk*.

No. 5.

Extract from the register of the acts of the deaths of the commune of Consolre (north) for 1772, in charge of the clerk of the civil tribunal sitting at Avesnes (north).

The year 1772, the 24th of May, Demoiselle Marie Augustine Renaut, aged about 61 years, living a celebat, died the day preceding, and was buried in the church of this parish, followed by the clerk and Jean Baptist Huart.

Signed N. J. BROGUIER,
J. B. HUART, and
P. J. NOEL, *Curate*.

A true extract, delivered by the clerk of the civil tribunal sitting at Avesnes (north), the 3d of August, 1850.

CARNIAUX, *the clerk*.

No. 6.

Extract from the register of the acts of the civil tribunal of the commune of Avesnes (north), for the year 1764.

In the year 1764, the 12th of November, after one publication of the bans in this parish, made on the 11th instant, and also of another publication, made in the parish of Consolre on the same day, as it is stated in a letter of the curate of the said place, and dated the eleventh instant, in which letter he consents to the marriage of his parishioner, and which was signed J. J. Gorisse, paster, Consolre, and a dispensation of the two other publications of the bans having been obtained

for his lordship the archbishop, dated 8th instant, which was signed T. Albertus, episcopus arnichensis vicgen. suff., and countersigned Sculfort, were married by us, and have received the nuptial benediction, after we had obtained their mutual consent, Sieur Phillippe François Celestin Renaut, master of forges and proprietor of the royal manufactories of Consolre, aged fifty-four years, and son of Sieur Philippe Renaut, deceased, and of Dame Marie Celestine Polchet, who has given her consent to this marriage, and Demoiselle Marie Rosalie Joseph Scorion, 22 years of age, and daughter of Sieur Louis Phillippe Scorion, deceased, attorney and stewart of the King in the royal bailiff of this city, and Dame Marie Jacqueline Joseph Fabry, who has given her consent to the marriage of the said Renaut, of the parish of Consolre, and the said Demoiselle Scorion, of this parish. Assisted as witnesses, Sieur Maximilien Fabry, the chief engineer of this city, Mr. Benoit de la Matte, and Sieur Jaques Bontry, scribe of this city, who have signed with the contracting parties and the officiating ministers.

The following names are signed on the register: R. Scorion, Renaut, M. Fabry, Chevalier Benoni, Delamatte, Scorion, L. P. Scorion, F. L. Bontry, and Prior Dupar, curate.

A true extract, delivered by the clerk of the civil tribunal sitting at Avesnes (north), the 3d day of August, 1850.

CARNIAUX, *the clerk.*

No. 7.

Extract from the register of the acts of baptisms, marriages, and burials of the commune of Consolre for the year 1769, in charge of the clerk of the civil tribunal sitting at Aversens (north).

The year 1769, the 4th of February, Sieur Phillippe François Celestine Renaut, master of forges, aged fifty-eight years, and husband of Demoiselle Marie Rosalie Joseph Scorion, died the day preceding, and was buried in the church of this parish, followed by the clerk and Lambert Blanpain.

Signed N. B. BROGNIEZY,
L. J. BLANPAIN, and
P. J. NOEL, *Curate.*

A true extract, delived by the clerk of the civil tribunal sitting at Avesnes (north), the 3d of August, 1850.

CARNIAUX, *the clerk.*

No. 8.

Extract from the register of births of the city of Avisnes, for the year 1769, in charge of the clerk of the civil tribunal, sitting at Avisnes, (north.)

The year 1769, the 2d of October, was baptised Amelia Joseph Renault, born this day, at 9 o'clock in the morning, daughter of Sieur

Phillippe Celestin Renault, deceased, who while living was master of forges at Consolre, and of Dame Marie Rosalie Joseph Scorion, his legitimate wife, Messire Jean Baptiste François Chevallier, engineer in chief of this city, cavalier of the royal and military order of St. Louis, was godfather, Dame Marie Jaqueline Joseph Fabry Scorion, grandmother of the child, was godmother, which persons have hereunto signed their names.

Have signed, CHEVALIER,
FABRY S. CORION, and
Prior DEUPON, *Curate*.

A true extract, delivered by the clerk of the civil tribunal, sitting at Avesnes, this day, the 3d of August, 1850.

CARNIAUX, *the clerk*.

No. 9.

Extract from the register of the acts of marriage of St. Madeleine la ville l'Eveque, for the year 1789.

The year 1789, the 27th January, after the publication of three bans, in the parish of Consolie, diocese of Combray, the 26th and 27th of December last, and 1st of the present month, and of one ban in the parish of Bonely, diocese of Noyan, the dispensation of the two others being accorded by his lordship, the bishop of Noyan, the 3d of the present month, recorded and stamped the same day; the other publication being made in the parish of St. Michael, of the city and diocese of Dijon, the 28th of last December, the two others accorded by his lordship, the bishop of Dijon, were disposed with on the 29th of the same month, recorded and stamped the same day. Having seen the baptismal extracts of the husband and wife, and the mortuary extract of the father and mother of the husband, that of the father of the wife deposited in the archives of this church, under date of the 25th February last, on the occasion of the marriage of Messire Louis Denie Hyacinth Joseph de Chieffrier with Dame Marie Joseph Scorion, mother of the wife, the permission of Messire Patin, curate of the parish of Bonely, under date of the 29th December last, addressed to the curate of the Madeliene de la ville l'Evaque, or to any other priest by him commissioned for the purpose of celebrating the present marriage; lastly, the permission granted by his lordship, the archbishop of Paris, the 23d instant, for the parties to be betrothed and married the same day, and in the private chapelle of the countess of Pons, situated in the Rue de Provence, parish of St. Eustache, all in good form and without opposition, in the presence and with the consent of M. Michael Lebre, priest of Sorbonne and curate of this parish, by M. Antoine Xavier Maynaud de Ponsement, a priest, doctor in theology of the faculty of Paris, and curate of the parish of St. Sulpice, in this city, brother of the husband, have been celebrated, the betrothing and marriage, the high and powerful Seignieur Messire John Baptiste Fran-

çois Maynaud, chevalier, counsellor of the king in all his counsels, president (illegible) of the court of parliament of Burgundy, seigneur of Lavaux and other places, elder son of the deceased M. Huguer Maynaud, chevalier seigneur of Poncemont, Lavaux, of other places, and of Dame Marie Jeanne Bondoin, aged 23 years and about five months, living at Dijon, in her hotel, paroisse of St. Michael, for many years, with Demoiselle Amelia Joseph Renaut, younger daughter of the deceased Philippe Celestine Renaut, and of Dame Marie Rosalie Joseph Scorion, his widow, aged 19 years and about three months and a half, residing nominally (de droit) in the parish of Consolie, diocese of Cambray; also nominally and indeed (de fait) at the chateau of Bonely, diocese of Noyan, for many years, at present with his mother in Arcade street, in this parish, in the presence and by the consent of the witnesses above mentioned, on the side of the husband, the very high and very powerful Seigneur Emanuel Louis Auguste, Count de Pons, chevalier of the order of the king, lieutenant general of his armies, residing in his hotel in the above mentioned Rue de Provence, parish of St. Eustache, of M. François Gaspard Maynaud, of Collange, chevalier, colonel of dragoons, chevalier of the royal and military order of St. Louis, seigneur of Gennelard and of Oudy, in charollair, his second cousin on the father's side, residing in his hotel, rue de la ville l'Eveque, in this parish; on the side of the wife, her mother, her natural tutrix, M. Louis Denie Hyacinth Joseph de Chieffuer, chevalier, seigneur of Roux Benvois, and other places, chevalier of the royal and military order of St. Louis, colonel of infantry, lieutenant, aid major of the company of the (cent Suisses) hundred Suisse of the body guard of the king, his grandfather, residing ordinarily in his chateau of Bonely, parish of Bonely, diocese of Noyan, at present at Paris, Arcade street, in this parish, M. Blaise Pascal, colonel of infantry, lieutenant of the hundred Suisses of the ordinary body guard of his majesty, chevalier of the royal and military order of St. Louis, residing in the rue St. Florentine, in this parish; all which witnesses have declared to us as to the domicil, the liberty and catholicity of the parties, and have signed with them and the curate of the Madeleine de la ville l'Eveque, and that of St. Sulpice, in Paris.

Signed, A. J. RENAUT,
MAYNAUD PONS,
ST. MAURICE,
MAYNAUD DE COLLANGE,
SCORION DE BEAUVOIS,
PASCAL,
De chieffrier de Rouex de Beauvois.
MAYNAUD DE PONCEMONT,
Curate of St. Sulpice.
LEBER,
Curate of the Madeleine de la ville l'Eveque, Diran.

A true copy. Paris, 31st August, 1850. MENNAE,
Secretary General of the Department of the Seine.

1340.

No. 10.

Prefecture of the Department of the Seine.

Extract from the register of the acts of deaths for the year 1832, first ward, (1st arrondissement.)

From the 19th January, in the year 1832, at 10¼ o'clock in the morning.

Act of decease of Dame Amelie Joseph Renaut, proprietor, aged 62 years, married to Sieur Jean Baptist François, Mayneaud, Count de Paucemont, honorary counsellor of state, first honorary president of the royal court of Nismes, aged 77 years. The said decease was born at Avesnes, (north,) and died at Paris, in Arcade street, No. 25, yesterday, at 3½ o'clock of the night; witnessed by us, Charles Gubillot, cavalier of the legion of honor, adjunct of the mayor of the first ward, (1st arrondissement,) Paris, on the declaration of Sieurs Joseph Guillaume, vital professor, aged 31 years, residing in the same house, and Jean Louis Bandit, baker, aged 31 years, residing in the same street, No. 26; which persons have signed with us, after reading this to them.

Signed, J. VITAL,
BANDIT, and
GABILLOT.

A true copy. Paris, the 20th July, 1850.
AD DE RELLEYME, *the mayor*.

No. 11.

Before M. Dessaigns and his colleague, undersigned notaries at Paris, were present:

M. Agricol, Joseph François Xavier, Pierre Esput, Simon Paul Antonie, marquis of Fortea de Urban, residing in Paris, rue de la Rochfaucault, No. 12, and M. Victor Amidie de Ripert Monclar, advocate, residing in Paris, rue Rochfaucault, No. 12, who have by these presents testified for truth and evidence, to those whom it may concern, to have well known Madame Amelie Joseph Renaut, deceased, wife of John Baptiste Maynaud, Count de Paucemont, first honorary president of the royal court at Nismes, honorary counsellor of state, and member of the legion of honor; and that she died in Paris, rue de l'Arcade, No. 25, the 18th January, 1832; that after her death no inventory was made, and that she had left qualified to possess and declare herself to be her sole and only heir Madame Augustine Anne Demise Louise Hyacinth Maynaud de Paucemont, her daughter, and widow of M. Camille Casimir Philippe Marcelin, Count de Tournon, peer of France, and grand officer of the legion of honor, residing in Paris, at the hotel rue de l'Arcade, No. 25. (The rest is the same as that contained in document 10.)

Certified and signed by BOUTRAIS DESSAIGNS, &c.

No. 12.

Extract from the register of the acts of marriages of the commune of Frasnes, province of Namur, the year 1774.

By virtue of the red seal, or by the dispensation of the other bans by the most illustrious John Alexis, baron of Glemas, our arch deacon, on the 2d of this month, in our parish church, by the consent of their parents, were joined in marriage Jacob Joseph François, legitimate son of Jacob François and Catharine Gilbert, husband and wife, and Celestine Renaut, legitimate daughter of Philippe Renaut and Marie Celestine Polchet, husband and wife, both parishioners. Present, J. F. Le Brun, of the parish of Petigny, J. H. François, T. Galas, Marie Joseph François, J. J. François, Celestine Renaut, J. J. Boserer, substitute of the pastor.

A true and literal extract, delivered at Frasnes, the 4th August, 1850. L. MADRAN, *Bourg'tre*.

No. 13.

Extract from the register of the acts of marriages of the commune of Frasnes, provence of Namur, 1770.

The Sieur Jacques Joseph François, native of this parish of Frasnes, legitimate son of Sr. Jacques François, deceased, wine merchant, mayor of this place, and of Delle. Catharine Gilbert, his wife, deceased, at present residing in the city of Mariembourg, sub-delegate of my lord, the intendant of Hainaut, and receiver of the domains of his Majesty at the time of his marriage with the Delle. Marie Anne Celestine Phillippine Renaut, legitimate daughter of Sr. Phillippe Renaut, deceased, and of Demoiselle Marie Celestine Polchett, his wife, which was celebrated in this parish of Frasnes, the second December, 1744, as can be seen in the register of marriages of this said parish, of the said year, at the end of said register, on the side and place according to the ordinance, and which is placed in one of the archives of this curateship, and a duplicate copy in the royal record of Mariembourg, being ignorant at that time of the ordinance of the King, which very probably had not yet been published here, and was not known, from all appearance, to the Rev. Fr. Rechone, curate at that time of Frasnes, deceased, nor of Sr. Bousserez, vicar delegated for the said marriage, and by which ordinance it was enjoined to publish at least one of the bans of marriage in the parish, of the future couple, which has been omitted on account of a dispensation obtained by my lord the Baron of Glisenes, from Brabant, our arch deacon of Leige, who has ordinary and co-episcopal jurisdiction in this counsel of Chimai, whence this parish of Frasnes depends for the spiritual. To obviate to all that might in future result unfavorable, in a civil way, to the children born in a christian manner of this marriage above mentioned, and the Sr. Jacques Joseph François, and the Demoiselle Marie Anne Celestine Phillippine Renaut, his wife, wishing to conform themselves to the said ordinance which is known to them now, and do leave nothing doubtful on the legitimacy of their children, they have expressed a wish to us, being a mutual

and free consent, to publish the three bans of their marriage from the altar of the same parish church, during the parochial mass, in order to renew the said marriage and their mutual consent, and to make a last act, to be recorded in the register of this parish of the present year, to serve to their family in case of need, and in obedience to the orders of his Majesty; in consequence, I, the undersigned curate of the parish of Frasnes, diocess of Liege, in the counsel of Chimai, arch deacon of Faurenne for the spiritual, and under the dominion of his very christian Majesty, testify that I have published at the altar, during the parochial mass, the first banns of the said marriage between the said Jacques Joseph François, and Demoiselle Marie Anne Celestine Phillippine Renaut, on Sunday, 18th February; the second, the 1st day of St. Matthew the Apostle, the 24th; and the 3d, the Sunday the 25th of the same month, of this present year 1770; and the next day, the 26th of the same month, I received the renewal of their mutual and free consent, and the ratification of their marriage in due form, in our church of this parish, and I have given them, as much as needs be, the nuptial benediction by special delegation, and by writing signed and written by Sr. Rev. Fr. Petit, curate of the said city of Mariembourg, dated 26th of the present month, and of this same year, to me directed after the publication; also of the said three banns of the said marriage, made the said three days at the altar during the parish mass at Mariembourg; and the said Sr. François, husband, and the said Delle. Renaut, his wife, have said and declared to us that they recognise, and by the present act they say, declare, and recognise, for their legitimate children, all who were born of their marriage, namely, their oldest daughter, Marie Augustine François, born at Frasnes the 20th July, 1745; their son Jaques Charles François, born at the said Frasnes the 27th November, 1746, as registered in the register of this parish; also their son Joseph Oliver François, born at Frasnes the 19th August, 1755; their daughter Marie Julie Celestine François, born 15th November, 1756; their son Pierre Joseph Gabriel, born the 29th February, 1758; and, also, their son Louis Joseph François, born 12th July, 1759, as recorded in the register of the said city, where these last children were born; all living at present. This made and passed at the same Frasnes, the said 26th February, the year of grace, 1770, in the presence of four witnesses, all specially requested and called, all undersigned with the contracting parties, as follows: Jean Charles Joseph Herseval, schoolmaster of the city of Mariembourg, Joseph Longuet, tailor, Pierre Leroy, apprentice, and Jean Marian, farm laborer; all three last of this parish of Frasnes.

(Signed) J. J. FRANCOIS,
CELESTINE RENAUT,
JEAN C. J. HENSEVAL,
JOSEPH LONGUET,
PIERRE LEROY,
JEAN MARIAN,

R. SERET,
Curate of Frasnes, in fidem.

A true and literal extract, delivered at Frasnes the 4th August, 1850.

L. HANAM, JR., *Burgomaster*.

No. 14.

Mayor's office of Vireux Mothain.

Extract from the register of the civil acts of the commune of Vireux Mothain.

The year 1788, on Saturday, the 22d day of November, the body of Marie Celestine Renaux, widow of Sieur Joseph François, subdelegate and receiver at Hariembourg, aged about 77 years, has been buried in the cemetry of this parish, by me, the undersigned curate, in the presence of Sieur. Hemisse, receiver of the tenths of Virioux, and of Sieur Louis Martin, son in law of the deceased, residing at Hariembourg, which persons have signed with me, the present act.

HEMISSE,
L. MARTIN,
A. S. DELPIRE,
Curate of Vieux St. Martin.

A true copy. Vieux Mothain, the 5th of August, 1850.
The mayor, PORESSES.

No. 15.

Extract from the register of the acts of births of the commune of Frasnes, province of Namur, for the year 1745.

1745, July 20th.—Marie Augustine Joseph François, legitimate daughter of Mr. Jacob Joseph François, and Dame Celestine Renaut, spouses, was baptized the day of her birth. The sponsors were Rev. Mr. Joes Hubertus, François and Dame Celestine Polchet, J. H. François Polchet Renaut, J. J. François, M. Richau, pastor.

A true extract, delivered at Frasnes the 4th August, 1850.

L. HANAUXFIS, *Burgomaster*.

No. 16.

Extract from the register of the acts of births for the commune of Frasnes, province of Namur, the year 1746, November 27th.

Jacob Charles François, legitimate son of Mr. Jacob Joseph François and Dame Celestine Renaut, spouses, was baptized the day after his birth. The sponsors were Mr. Jacob François, and Dame Caroline Renault, who signed this.

J. FRANCOIS,
C. RENAUT,
J. J. FRANCOIS,
M. RECHON, *Pastor*.

A true and literal extract delivered at Frasnes the 4th day of August, 1850. L. HANAUXFIS, *Burgomaster*.

No. 17.

Extract from the register of the acts of deaths for the year 1777, in the commune of Marienbourg, canton of Couvin, in charge of the clerk of the tribunal of the first instance, sitting at Denaut, province of Namur.

The 24th of February, in the year 1777, died, and on the 25th was buried in the cemetery of this parish, by me, the undersigned curate, Monsieur Charles François, controller in the farms of the King at Vireux. He received the sacraments of our holy mother, the church; was born in the parish of Fransnes, about 32 years of age, son of Monsieur Jaque Joseph François and of Dame Marie Anne Celestine Phillippine Regnaut.

Witnesses, Nicholas Pierre and Jean Pierre, who with me have signed the present act.

Signed NICHOLAS PIERRE,
JEAN PIERRE, and
PETIT, *Curate*.

A true and literal extract, delivered at Dinaut this 7th day of August, 1850, by the undersigned, clerk of the tribunal.

BALLEUX.

No. 18.

Extract from the register of the acts of baptisms, marriages, and burials, serving as the register of the civil state of the town of Mariembourg, Province of Namur.

On the sixth day of June, 1748, at nine o'clock in the evening, was born Marie Joseph Ferdinand François, legitimate daughter of Jacob Joseph François and Marie Annie Celestine Phillippine Renaut, et on the following day, at 9 o'clock in the forenoon, was baptized by me, the undersigned pastor, whose sponsors were Charles D. Lathe and Marie Joseph François, who signed this act with me, the father being present.

T. CARTIER, *Pastor*.

T. DE LATHE,
M. J. FRANÇOIS,
J. J. FRANÇOIS.

A true copy delivered at Mariembourg, 4th August, 1850.
The burgomaster, officer of the civil State.

A. DETERME.

No. 19.

Extract from the register of the acts of baptisms, marriages, and burials of the city of Mariembourg, canton of Couvin, province of Namur, kingdom of Belgium.

The 22d May, 1753, was born, about six o'clock in the evening, Adrien Joseph François, legitimate son of Mr. Jaques Joseph François, sub-delegate of my lord the intendant, and of Dame Celestine Renaux, and was baptized the day following, at nine o'clock at night, and had for godfather Sieur Adrian Delasart, and for godmother Dame Elizabeth Joseph Polchet, who have with me signed the present act, the father and mother being absent.

(Signed) E. POLCHET, Sr.,
DELASART, and
KENNEDY, *Curate*.

A true extract delivered by me, Antoine Determe, burgomaster, filling the office of clerk of the civil court of the city of Mariembourg, this day, the 4th of August 1850.

A. DETERME.

No. 20.

Extract from the register of the acts of baptisms, marriages, and burials, of the city of Mariembourg, canton of Couvin, province of Nemur, kingdom of Belgium.

The 31st of October, 1754, about 3 o'clock in the morning, died Adrian Joseph François, legitimate son of Mr. Jacques Joseph François, sub-delegate of my lord the intendant, and of Dame Celestine Reneaux, aged seventeen months, or thereabouts, and who was buried the same day at 5 o'clock at night, in our cemetery of La Croupe, in presence of most of the parishioners, and particularly in the presence of Mr. Fellier, priest, and Storder, who have with me signed the present act.

(Signed) FELLIER, *Priest*.
STORDER, and
KENNEDY, *Curate*.

A true extract delivered by me, Antoine Determe, burgomaster, filling the office of clerk of the civil court of the city of Mariembourg, this day, the 4th day of August, 1850.

A. DETERME.

No. 21.

Extract from the register of the acts of baptisms, marriages, and burials, of the city of Mariembourg, canton of Couvin, province of Namur, kingdom of Belgium.

The 30th of August, 1754, was born, about 10 o'clock in the morning, Isabelle Virginia François, legitimate daughter of Mr. Jacques Joseph François, sub-delegate of my lord the intendant, and of M'lle Celestine Reneaux, and was baptized the following day, at 6 o'clock in the evening, and had for godfather Mr. Maximilien Deomanet, and for godmother M'lle Issabelle Delsart, who have with me signed the present act, the father being present.

A true extract delivered by me, Antoine Determe, burgomaster, fill-

ing the office of clerk of the civil court of the city of Mariembourg, this day, the 4th August, 1850.

A. DETERME.

No. 22.

Extract from the register of the acts of baptisms, marriages, and burials of the city of Mariembourg, of the canton of Couvin, province of Namur, kingdom of Belgium.

This 11th day of April, 1758. about noon, died Issabelle Virginia François, legitimate daughter of Mr. Jaques Joseph François, subdelegate of the intendance of Hainault, and receiver general of the farms in this city, and Marie Anne Celestine Phillippine Renault, his wife, aged about four years, and was buried the following day, at 5 o'clock in the evening, in our cemetery de la Crousse, in the presence of most of the parishioners, and particularly in the presence of Sieur Barthelemy, Parente, et Storder, ekse, who with me have signed the present act.

(Signed) PARNET, STORDER, et KENNEDY, *Curate*.

A true extract delivered by me, Antoine Determe, filling the office of clerk of the civil court of the city of Mariembourg, this day, the 4th August, 1850.

A. DETERME.

No. 23.

Extract from the register of the acts of baptisms, marriages, and burials, of the city of Mariembourg, in the canton of Couvin, province of Namur, kingdom of Belgium.

The 12th July, 1759, was born, at 4 o'clock in the morning, Louis Joseph François, legitimate son of Mr. Jacques Joseph François, subdelegate to the intendance of Hainaut, in this city, treasurer to the troops, and receiver in the office of the general farms in the same city, and of Dame Marianne Celestine Philippine Regnaud, the father and mother, and was baptized the 15th day of the same month, about 8 o'clock in the evening, and had for godfather the undersigned curate of the said city, and for godmother Dame Rose Joseph Paschal, wife of Antoine Adrien Delzarte, who has with me signed the present act, the father being absent.

(Signed) DELESART,
For ROSE PASCHAL,
JEAN LOUIS KENNEDY, *Curate*.

A true extract delivered by me, Antoine Determe, burgomaster, filling the office of clerk of the civil court in the city of Mariembourg, the 4th day of August, 1850.

A. DETERME.

No. 24.

MAYOR'S OFFICE OF VIREUX MOTHAIN.

Extract from the register of civil acts of the commune of Vireux Mothain:

The year 1787, on Saturday, the 26th of May, the body of Louis Joseph François, employed on the farms of the king, in the brigade of Sobre le Chaseur en Hainaut, about twenty-eight years of age, deceased the day before, has been buried in the cemetery of the parish by me, curate undersigned, in the presence of the Rev. Sieur Bousette, canon of the college church of Mothain, and of Jean Vincent Bryare.

V. J. BRESAIR,
A. J. DELPIRE,
Curate Vireux St. Martin.

The present extract is delivered and certified by us, mayor of the commune of Vireux Mothier, the 5th of August, 1850.

The Mayor, JOURY.

No. 25.

Extract from the register of the acts of baptisms, marriages, and burials in the city of Mariembourg, canton of Couvin, province of Namur, kingdom of Belgium.

The 14th of August, 1755, about 3 o'clock in the afternoon, was born Joseph Olivier François, legitimate son of Mr. Jaques Joseph François, sub-delegate to the intendance of Haynaut, and receiver general of the farms in this city, and of Dame Marianne Celestine Philippine Renault, his wife, and was baptized this 15th day of same month by me, curate of this parish, and has had for godfather Mr. Olivier Joseph Posenet, of Grigneaux, residing at Eppe Sauvage, and for godmother Dame Catherine Françoisse Polenet, widow of Mr. Bosquet, deceased, lawyer in the parliament of Flanders, who have signed the present act with me, the father being present.

(Signed) POLENET DE GRISSEAU,
POLENET BOSQUET,
J. J. FRANCOIS, et
KENNEDY, *Curate.*

A true extract delivered by me, Antoine Determe, burgomaster, filling the office of clerk of the civil court in the city of Mariembourg, this day, the 4th of August, 1850.

A. DETERME.

No. 26.

MAYOR'S OFFICE OF VIREUX MOTHAIN.

Extract from the register of civil acts of the commune of Vireaux Mothain.

The year 1788, on Friday, the 17th of October, the body of Sieur Olivier Joseph François, receiver of the farms of the king, aged about thirty-four years, deceased the day before, has been buried in the cemetery of this parish by me, Veraine, undersigned, of Messrs. Delbœuf and Houlan, canons of Mothain, who, with me, have signed the present act.

DELBŒUF, *Canon of Mothain.*
P. P. HOULAN, *Canon.*
J. C. PETIT, *Vicar of Vireux of St. Martin.*

A true extract. Vireux Mothain, the 5th of August, 1850.
The Mayor, JOURY.

No. 27.

Extract from the register of the acts of baptisms, marriages, and burials of the city of Mariembourg, in the canton of Couvin, province of Namour, kingdom of Belgium.

The 24th day of February, 1758, was born about 3 o'clock in the morning, Pierre Joseph Gabriel François, legitimate son of Mr. Jaques Joseph François, sub-delegate of the intendance of Hanault, in this city, treasurer of the troops, and receiver in the office of the general farms in the same city, and Dame Marie Anne Celestine Philippine Regnault, his father and mother, and was baptized the 26th of the same month, and has had for godfather Mr. Joseph Brunet, of Igoureoux, and for godmother Melle. Gabriel Demanet, of Chimay, who have with me signed the present act.

(Signed) DESMANET BRUNET,
J. J. FRANCOIS,
KENNEDY, *Curate.*

A true extract delivered by me, Antoine Determe, burgomaster, filling the office of clerk of the civil court of Mariembourg, this 4th day of August, 1850.

A. DETERME.

No. 28.

Extract from the register of acts of the civil state of *of* the town of Bombourg, in the archives of the civil tribunal of Dunquerque (north.)

The 22d Fructidor, 4th year of the French republic, one and indivisible, at 3 o'clock, appeared in the corporation house of Bombourg the citizen Pierre Joseph Gabriel François, aged 28 years, native of Mariembourg, department of Ardennes, secretary clerk of the justice of the peace of the canton of Bombourg, and residing there, son of the deceased Jacque Joseph François, native of Frasnes, in his lifetime sub-delegate and receiver of farms and domains at the said Mariembourg, and died at said place, and of Marie Celestine Renaut, native of Consolre, who died at Vireux, department of the above said Ardennes, on the one part, the citizen Marie Joseph Elizabeth Hanne, a

minor, aged 19 years, native of Gravelines, living with her mother, the daughter of Jacque François Hanne, tavern-keeper, born and domiciliated at said Gravelines, and of Jeanne François Morborne, native of Dunquerque, tavern-keeper, domiciliated at said Bombourg, on the other part, which future couple were assisted and accompanied by the citizens Jacque François Hanne, as above named, aged 41 years, father of the future wife, Peter Comil Hemyn, aged 46 years, consul of Prussia, domiciliated in this commune, Peter François, Louis Vermeersch, aged 44 years, justice of the peace of Bombourg, domiciliated in the commune of St. Pierrebroucy, and Peter François Pollet, son, secretary, and clerk of the justice of the peace of this commune, aged 31 years, domiciliated at said Bombourg; these four witnesses—the three last mentioned having declared themselves to be neither parents nor connexions of the husband and wife—in presence of said witnesses, was read by us, Peter Sago, assistant municipal agent performing the functions of public officer of the civil state of said commune of Bombourg, the publications being made on the 20th of Fructidor, of the promises of marriage between the future couple, so that the consent to the said marriage being given by the said Jacque François Hanne, the father of the future couple, who declared in a loud voice in presence of said witnesses that they mutually take each other in marriage, we, the above named public officer, have pronounced, in the name of the law, that the said Peter Joseph Gabriel François and Marie Josephine Elizabeth Hanne to be united in marriage. The married pair have signed with us, together with the witnesses, the day, month, and year, as above written.

(Signed) FRANCOIS JOSEPHINE HANNE,
VEERMEERSCH,
HEMYN,
POLLET, *the son*,
HANNE and SAGO, *public officers.*

A true extract, certified by the undersigned clerk.
By the clerk. G. MELEYN.

No. 29.

Extract from the register of the civil acts of the city of Bombourg, being in the archives of the civil tribunal of Dunkerque (north.)

The 29th day of the month of Nivose, in the 9th year of the French republic, the act of decease of Pierre Joseph Gabriel François, husband of Marie Josephine Elizabeth Hanne, died yesterday, at 8 o'clock of the evening, aged forty-two years, born in the commune of Mariembourg, department of the Ardennes, hotel-keeper, residing in the commune of Bombourg, department of the north, son of Jacques Joseph François, deceased, and of Marie Celestine Renout, on the declaration made to me by the citizens Albert Derventre, hotel-keeper, and Pierre Sago, bourgeois, residents in the said commune of Bombourg, who

have declared to have no kindred or alliance with the deceased, and have signed.

(Signed) A. DERVINTRE and SAGO.

A true extract, signed by the undersigned clerk.

By the clerk. S. ATTELEGRE.

No. 30.

Extract from the register of civil acts of Bombourg, deposited in the archives of the civil tribunal of Dunkerque (north.)

The year 7 of the French republic, one and undivisible, the 14th of Nivose, at 10 o'clock in the morning, at the town hall of the commune of Bombourg, was presented before us, Pierre Sago, municipal adjunct, being public clerk of the civil court of the said commune undersigned, a child of the masculine sex, born in this said commune yesterday, about 9 o'clock in the morning, to whom has been given the given names of Joseph Gabriel, born in legitimate marriage of citizen Pierre Joseph Gabriel François, native of the commune of Mariembourg, department of the Ardennes, hotel-keeper, resident in the said commune of Bombourg, and of the citizen Marie Josephine Elizabeth Hanne, his wife, native of the commune of Graveliens, have assisted as witnesses the citizen Alexander Jacques, Marie Joseph Boncry, Saint Venant, lawyer, residing in the commune of Paris, at present at Bombourg, and the citizen Jeanne François Mouborne, wife of the citizen Jacques François Hanne, hotel-keeper, residing in the same commune of Gravelines, maternal grandmother of the child; and have, the said Pierre Joseph Gabriel François, the father of the child, and the witnesses above mentioned, signed with us the day, month, and year, above mentioned.

(Signed) A. HANNE,
BONCRY,
S. VENANT,
FRANCOIS,
And SAGO, *public clerk*.

A true extract, signed by the undersigned clerk.

S. ATTELEGRE.

No. 31.

Extract from the register of the civil acts of the city of Bombourg, deposited in the archives of the civil tribunal of Dunkerque (north.)

Of the 20th of the month of Fructidor, the year 8 of the French Republic, the act of birth of Jaques François Justinien, born the 18th of this month, about 9 o'clock at night, legitimate son of Pierre Joseph Gabriel François, hotel-keeper, born in the commune of Mariemburg, department of the Ardennes, residing in the commune of Bombourg, department of the north, and of Marie Josephine Elizabeth Hanne,

born [in] the commune of Gravelines, department of the north. First witness, the citizen Jaques François Hanne, aged about 55 years, hotel-keeper, resident at Hennuin, commune of Saint Folquin, maternal grandfather of the child; second witness, the citizen Anne François Marguerette Lambert, aged 45 years, wife of the citizen Jean Baptiste Stocklin Brewer, farmer, residing at Hennuin, commune of Andreryez, at the request made to us by the citizen Pierre Joseph Gabriel François, the above mentioned father of the child, and have signed.

(Signed) FRANCOIS,
J. F. HANNE,
And A. F. M. LAMBERT.

A true extract, certified by the undersigned clerk.
By the clerk. S. ATTELEGRE.

No. 32.

Extract from the register of the acts of marriage of the commune of St. Omer Capelle, for the year 1829.

The 18th February, 1829, at 11 o'clock in the morning, publicly at the town hall of the commune before us, Charles Philippe Barbary, adjunct mayor, by delegation doing the duties of clerk of the civil court of the commune of St. Omer Capelle, district of the commune of St. Omer, department of Dupre de Calais, have appeared Jacques François Justinian François, 28 years 5 months of age, boss shoemaker by trade, residing in the city of Bombourg, born in the same place, of age, legitimate son of Pierre Joseph Gabriel, deceased, and of Marie Josephine Elizabeth Hanne, now living, wife of Sieur Louis Harmotte, hotel-keeper, residing in the commune of St. Folquier, and Demoiselle Marie Catharine Josephine Mabille, aged 20 years, 10 months, by profession farmer, residing in this commune, born in same place, minor in years, legitimate daughter of Louis Marie Adrien Joseph Mabille, deceased, and of Marie Joanne François Loquet, yet living, by profession farmer, residing in the same place, in the presence of Messrs. Joseph Noel Hanne, aged 49 years, hotel-keeper, residing in the commune of St. Folquier, Eugene Louis Joseph Bride, 32 years of age, collector of direct taxes, residing in the commune of St. Mariellenque, of Louis Joseph Athanase Mabille, 25 years of age, farmer, residing in this commune, and of Louis François Chevalier, 49 years of age, farmer, residing in the commune of Bombourg, campagne. The first witness stated that he was maternal uncle to the future husband, and the second, first cousin, the third, full brother to the future wife, and the fourth, maternal uncle to the future wife, which first parties requested us to unite them in matrimony; having seen the act of birth of the future husband drawn up in the city of Bombourg, the 20th Fructidor, 8th year of the French republic, the act of birth of the future wife, drawn up at the said St. Omer Capelle, 8th May, 1808; having obtained the consent of the future husband's mother, and of the future

wife's mother; having seen the act of the decease of the future husband's father, drawn up in the said city of Bombourg, 29th Nivorse, 9th year of the French republic, and the act of the decease of the future wife's father, drawn up at the said St. Omer Capelle, 26th April, 1814; having seen the acts of publication and advertisement of the marriage made in the commune, in that of St. Folquin, and in the city of Bombourg, the Sundays, 8th and 15th of the present month of February, and as there has been no opposition to the marriage, which certified by us and by the mayors of St. Folquin and Bombourgville, according to the certificates dated this day, in consequence we have complied with the wishes of the parties, after having read all the acts above mentioned relative to their state and to the formalities of marriage, which acts are here produced and mentioned by us, and the parties producing, and are duly legalized, remaining attached to the act of marriage; also having read the 6th chapter of the title of the civil code on the rights and respective duties of husband and wife in marriage, we have received from each separately the declaration that they wish to take each other for man and wife, and we have pronounced in the name of the law, that Jacques François Justinian François, and Marie Catharine Josaphine Mabille, are united by marriage, and immediately we have written the present article of marriage, and after reading, it the husband and wife, the mother of the husband, and the mother of the wife, and the four witnesses, have with us signed it.

(Signed in the register,)

FRANCOIS M. MABILLE,
LOQUET,
J. HANNE,
CHEVELIER A. MABILLE,
N. HANNE BANDE, and
BARBERY COURRENO.

A true copy. The mayor of St. Omer Capelle.

L. DERENDREY.

No. 33.

Extract from the register of the acts of deaths of the commune of St. Omer Capelle, for the year 1841.

The year 1841, on the 30th of September, at 10 o'clock in the morning, in the mayor's office, before us, Derendre, Louis, mayor and clerk of the civil court of the commune of St. Omer Capelle, canton of Ludwicq, ward of Saint Omer, department of Du-par-de-Calais, have appeared Nazaire Mabille, aged 31 years, farmer, resident in this commune, and Louis Marie Coolen, aged 56 years, guardian of the fields, resident of the same place, who have declared to us that Jaques François Justinien François, 41 years of age, and shoemaker by trade, resident in the same commune, born in the city of Bombourg, husband of Catharine Josephine Mabille, servant woman by trade, re-

sident in the same commune, and legitimate son of Pierre Joseph Gabriel François, deceased, and of Marie Josephine Elizabeth Hanne, died at the said Saint Omer Capelle, in his house sixth of section B, yesterday the 29th instant, at 11 o'clock in the morning, and have the said witnesses, the first being the brother-in-law, and the second not being related to the deceased, signed the present act with us after it had been read to them.

Signed in the register,

N. MABILLE,
L. M. COOLEN, and
DERENDRE.

A true extract. The mayor of Saint Omer Capelle.
L. DERENDRE.

No. 34.

Extract from an inventory received from Mr. Hacoux, notary of Virelle Eglin, the 15th of January, 1842, registered at Audrincq, the 19th January, 1842, folio 129, vol. C 4, received two francs and two decimes for tenths, five catalogues without faults or words scratched out. Signed, Morin.

It relates, that the 29th September, 1841, the Sieur Justinien François died at St. Omer Capelle; that he left for surviving wife, Dame Josephine Mabille, servant woman, residing at St. Omer, Capelle and for only children and sole heirs the five minors, whose names follow: 1st. Louis Joseph Justinien François. 2d. Louis Augustine Gabriel François. 3d. Victorine Josephine Collina François. 4th. Joseph Eugene François. 5th. Marie Louisa François.

A true extract. Z. TRACOUX.

No. 35.

Extract from the register of the acts of baptisms, marriages, and burials of the city of Mariembourg, canton of Couvin, province of Namur, kingdom of Belgium.

The 15th November, 1756, has been baptized by me, royal curate of the city and parish of Mariembourg, Marie Julie Celestine, legitimate daughter of Mr. Jaques Joseph François, sub-delegate of the intendance of Haynaute, in this city, treasurer of the troops and receiver in the office of the general farms in the same city, and of Dame Marianne Celestine Phillippine Renault, his wife, which child was born yesterday the 14th of the month, about 3 o'clock in the morning, and was baptized this day about 7 o'clock in the afternoon, having had for godfather Mr. Pierre Vanchansade, decorated cavalier of the royal and military order of St. Louis, major of the place of Mariembourg, and for godmother Delle. Elizabeth Polchet, of Grignault, residing at Grignault, parish of Eppe Sauvage, in Haynaut, who have signed the

present act with me, curate above mentioned, the day, month and year above mentioned, the father being present.

Signed, ARCHE. J. J. FRANCOIS,
E. POLCHET, DE GRIGNEAUX,
KENNEDY, *Curate*.

A true extract delivered by me, Antoine Determe, burgomaster, acting as clerk of the civil court of the city of Mariembourg, this day, the 4th of August, 1850. A. DETERME.

No. 36.

Extract from the register of the acts of baptisms, marriages, and burials in the city of Mariembourg, canton of Couvin, province of Namur, kingdom of Belgium.

The year 1777, on the 10th of February, after the publication of three bans during the parochial mass for three Sundays successively, there having been found no hindrance, have been married in the royal and parochial church in this city, by me, the undersigned priest, curate, having obtained the consent of his mother, Sieur Louis Celestein Martin, born in this parish the 29th October, 1752, son of Sieur Berthelemy Martin, deceased, and of Marie Antoinate Grambrar, living, on the one part, and on the other part, Delle. Marie Julie Celestine François, born in this parish the 15th November, 1756, daughter of Mr. Jaques Joseph François, deceased, who whilst living was subdelegate, major, receiver in city, and of Dame Marie Anne Celestine Philippine Regnault, now living, her consent having been obtained, the present marriage was entered into and celebrated in the presence of Sieur Gambrar, merchant citizen of this city, of Sieur Houseval, schoolmaster, citizen of this city, of Sieur Henvard, tailor, citizen of this city, and of Sieur Jathay, merchant, citizen of this city, all witnesses, were specially requested, and called, and have with me signed the present act, (approved the words of the eleventh line.)

Signed, LOUIS MARTIN,
JULIE FRANCOIS,
J. GRAMBRAS, HENSEVAL,
JATHAY,
JEAN BAPTISTE HANVARD, and
PETIT, *Curate*.

A true extract delivered by me, Antoine Determe, burgomaster, acting as clerk of the civil court in the city of Mariembourg, this 4th of August, 1850. A. DETERME.

No. 37.

Extract from the register of the acts of deaths of the city of Gravelines, for Wednesday, the 13th of March, 1822.

Act of decease of Marie Julie Celestine François, died this night at

one o'clock in her house in this city; she was born at Mariembourg the 4th of November, 1756, widow of Louis Martin, deceased in this city the 12th of June, 1792; legitimate daughter of Jacques Joseph François, deceased, and of Marie Anne Celestine Philippine Renaut; drawn on the delaration made to me, mayor of Gravenieux, undersigned by Jacques Joseph Padout, laborer, aged 32 years, and Jean Louis Zemkins, pecheur, 23 years of age, both citizens of this commune, who have declared that they could neither write or sign; the reading of this being made.

Signed, F. G. CHORWAL, *Adjunct.*

A true extract, certified. T. TILLEY,
The clerk of the civil court.

No. 38.

Of an act of notary received by Mr. Wagnet, notary at Gravelines, the immediate predecessor of the notary Salrune, the undersigned on the 22 May, 1838, in the margin of which is found the following note, "registered at Gravelines, 22d May, 1838, folio 94, case 3 and 4," rec'd two francs and twenty centimes for the tenths.

Signed, HOUILLON.

It relates that Dame Marie Julie Celestine François, widow of Sieur Louis Martin, daughter and heir of Marie Anne Celestine Philippine Renaut, married to Jacques Joseph François, sub-delegate to the intendance of Hainaut at Mariembourgh, deceased at Gravelines the 13th March 1822, leaving for sole heirs Mr. Charles Alexander Martin, officer in the custom-house, and Delle. Jeanie Marie Benoite Seraphine Martin, proprietor, both residents at Graveline, her grandchildren, as representatives and only heirs of M. Antonio Oliver Louise Martin, their farther, only son of the said Dame Marie Julie Celestine François, deceased, officer of the custom-house at Gravelines; on the 13th February, 1811, and husband of Dame Ceraphine Carpentier, his widow, proprietor, resident at Gravelines. A true extract, delivered at Gravelines the 28th July, 1850, by Mr. Hyppolite Louis Desire Salonne, notary at Gravelines, immediate successor of Mr. Wagnet, and as such guardian of his minutes.

L. SALONNE.

No. 39.

Extract from the register of acts of baptisms, marriages, and burials, being the register of the civil court of Mariembourg, province of Namur.

The year 1777, the 7th of May, has been baptized by me, priest, curate, undersigned, Antoine Olivier Louis Martin, born this day, legitimate son of Louis Martin, merchant, citizen of this city, and of Demoiselle Julie François, father and mother. The godfather, Mr. Olivier François, comptroller of the farms of the King at Vireux, uncle of the child, and the godmother, Antoinette Grambras, grandmother

of the child, who with me have signed the present act, the father being absent, (have signed)

FRANCOIS MARIE ANTOINETTE GRUMBRAS, *widow*,
MARTIN and PETIT, *Curate*.

A true extract, at Mariembourg the 4th of August, 1850. The burgomaster, clerk of the civil court.

A. DETERME.

No. 40.

Extract from the register of the acts of deaths in the city of Gravelines (north) for the 13th February, 1811.

Act of the death of Sieur Antoine Olivier Louis Martin, deceased yesterday, at 7 o'clock at night, at his house in this city, officer of the imperial custom-house, born at Mariembourg, department of the Ardennes, the 7th May, 1777, son of Louis Martin, deceased, and of Julia François, still living, husband of Marie Louise Seraphine Carpentier, born in Gravelines, the first November, 1772. Drawn upon the declaration made to me, the undersigned, mayor of Gravelines, by *by* Alborie Jurva, laborer, aged 26 years, and Simon Martin, sergeant of police, aged 61 years, both residents of this city, who have said that they could not sign their names, except the last one, who signed after this was read.

Signed MARTIN and CATRICE.

A true extract. The clerk of the civil court.

J. TILLOY.

No. 41.

Extract from the register of the acts of births of the city of Gravelines.

The year 7 of the French republic, the 26th of Faraireal, at about the eighth hour of the day, appeared before me, Pierre François Patigny, municipal agent of the commune at Gravelines, department of the north, the citizen Antoine Olivier Louis Martin, born at Mariembourg, department of the Ardennes, the 7th May, 1777, officer of the national custom-house in this commune of Gravelines, assisted by the citizens Jean Charles Alexandre Joseph Bamieny, born at Buvay, near Maubeuge, aged 31 years, and a half-pay principal lieutenant of the national custom-house in this commune, and Seraphine Baniel, widow of Carpentier, aged 54 years, resident in this commune, and born at Rembovalle, near Hesdin, grandmother of the new-born child, who has declared that Marie François Seraphine Carpentier, 24 years of age, his legitimate wife, has this day given birth to a male child, about two o'clock in the morning, in her residence in the street of the Petessier, in this commune, which he presented to me, and to which has been given the given names of Charles Alexander; and I have drawn up the present act, which I have signed with the father

and the first witness, the second having declared that he could not do it, in the said Gravelines the day, month, and year above mentioned; have signed, Martin, Bamiens, and Patigny, municipal agent.

A true and certified extract. The clerk of the civil court.
DUMARK, *Clerk.*

No. 42.

Extract from the register of the acts of births of the city of Gravelines, for the 8th Thermidor, 13 year.

Act of Janie Marie Benoite Seraphine Martin, born yesterday, at 8 o'clock of the evening, in the house of her father and mother in this cify, legitimate daughter of Olivier Martin, sub-lieutenant of the imperial custom-house, native of Mariembourg, in the department of the Ardennes, aged 31 years, absent for the present, and Seraphine Carpentier, native of Gravelines, aged 30 years, drawn up by me, undersigned mayor of Gravelines, on the declaration of Josephine Pelcourt, aged 38 years, midwife, in presence of Sieurs Jaques Charles Constantine Mabille, aged 35 years, tailor of coats, and Antoine Bonheur, aged 64 years, tinner, all residents in this city, who have signed [with] me after reading this, except the last, who declared not to know how to do it.

(Signed) MABILLE,
JOSAPHINE PELCOURT,
J. PEBETTE, *Mayor.*

A true extract certified. The clerk of the civil court.
DUMARK, *Clerk.*

No. 43.

Extract from the register of the acts of baptisms, marriages, and burials, serving as register in the civil court of Mariembourg, province of Namur.

The 27th day of February, 1749, about 12 m., in our parish church, before me, curate undersigned, and the witnesses who were present by special request, a marriage was contracted between Mr. Martin Latour, parishioner of Bellomontaines, about 35 years of age, legitimate son of Pierre Latour, deceased, and Antoinette Lacur, merchant by profession, on the one part, and on the other M'elle Marie Caroline Gabriel Renault, aged about 35 years, legitimate daughter of Mr. Phillippe Renaut and Marie Celestine Polchet, having no profession, being of our parish, with the consent of each parent, after the publication of the three bans, and by authority of the commission directed to me of the reverend pastor of Bellmont, by whom, nothwithstanding the proclamation was before made for them, as well as also in her native parish, at the home of Marie Caroline Gabriel Renaut, now resident in our parish with her mother, no opposition being made. The witnesses

were Marie Celestine Polchet Renaut, mother of the spouse, Stephen Bonette, Paul Le Blanc, and John Joseph Horder, all our parishioners, who have signed this act with the parties and with me.

(Signed) MARTIN LATOUR,
CAROLINE RENAUT,
POLCHET RENAUT,
BONETTE LE BLANC,
J. CARTUR, *Pastor.*

A true copy made at Mariemburg. The burgomaster, officer of the State civil.

A. DETERME.

No. 44.

Extract from the register containing the acs of deaths for the year 1765, of the commune of Morialine, canton of Walcourt, in charge of the clerk of tribunal of first instance, sitting at Dinaut, province of Namur.

Marie Caroline Reneau died the 28th June, 1765.

A true and literal extract, delivered at Dinaut, the 7th August, 1850, by the undersigned clerk of the tribunal.

BALLEUX.

No. 45.

Extract from the register containing the acts of baptisms for the year 1753, of the commune of Morialine, canton of Walcourt, in charge of the clerk of the tribunal of the first instance, sitting at Dinaut, province of Namur.

Hippolite, legitimate son of Martin Latoure and Marie Caroline Gabriel Reneau, was baptized the 26th February, 1753; the sponsors were Philibert Latoure and Margueritte Latoure.

A true and literal extract, delivered at Dinaut, the 7th August, 1850, by the undersigned clerk of the tribunal.

BALLEUX.

No. 46.

Of the public will of Hypolite Latour, deceased, former cook, proprietor residing at Aiseau, received by Mr. Jean Toussaint Joseph Dubuque, jr., notary, residing at Charleroi, the 2d February, 1830; recorded at Charleroi, the 25th February, 1830, in vol. 23, folio 107, in the cases 5 and 6; received two florins and forty centimes for fees, being, with 35 additional per cent., three florins twenty-four centimes.

The receiver WARGUISS.

It relates that the testator has made the following disposition: I institute as my universal heir of all the moveable and immoveable property which I may possess, and leave at my death, the Sieur Antoine

Servais, my nephew, son of Mathias Servais and Marie Adrienne Pelagie Latour, both deceased, at the said Aiseau, burgomaster of the said commune, residing at present at Horrues, district of Voignies, for and by him to enjoy the whole without reserve or exception, and without being held to account. To make and dispose at my death as he will judge best, such is my will and serious intention, which I intend shall be punctually executed at my death.

A true extract.

DERBUQUE, *Notary*.

No. 47.

From the registry of the acts of deaths, in the commune of Aiseau, for the year 1830, deposited in the archives of the tribunal of first instance, sitting at Charleroi, province of Hainaut, the following extract has been taken:

The year 1830, on the 25th February, at 2 o'clock at night, before us, assessor, officer of the civil court of the commune of Aiseau, district of Charleroi, province of Hainaut, have appeared Antoine Joseph Servais, aged fifty-two years, burgomaster of this commune, resident of Horrues, province of Hainant, nephew of the deceased, and Nicholas Gillon, 48 years of age, merchant, resident of Aiseau, who have testified that to-day, at 11 o'clock of the morning, Hypolite Latour, 77 years of age, proprietor, unmarried, born in the commune of Morialine, province of Namur, resident at Aiseau, son of Martin Latour, deceased, in the commune of Presles, district of Charleroy, province of Hainaut, and of Marie Caroline Gabrielle Renaut, deceased, in the commune of Morialine, district of Dinaut, province of Namur, died the 25th of February, 1830, in the house No. , situated in the yard of the ex-bailiff's office of Oiquie, and the witnesses have signed with us the present, after it had been read to them.

(Signed) A. J. SERVAIS,
N. J. GILLARD, and
J. J. RICHER.

A true and literal extract, delivered by the undersigned, head clerk of the said tribunal, this 1st day of August, 1850.

CONSIDERANT, *Clerk*.

No. 48.

Extract from the register of the acts of baptisms for the year 1751, of the commune of Morialine, canton of Walcourt, in charge of the clerk of the tribunal of the first instance, sitting at Dinaut, province of Namur.

Marie Adrienne Pelagie, legitimate daughter of Martin Latour and Marie Caroline Gabrielle Reneau, was baptized the 13th June, 1751. Sponsors, Pierre Joseph Wilbert and Marie Adrienne Wanthier.

A true and literal extract, delivered the 7th August, 1850, by the undersigned clerk of the tribunal.

BALLEUX.

No. 49.

Extract from the register containing the acts of marriages for the year 1774, of the commune of Hansuine and Nansinelle, canton of Walcourt, in charge of the clerk of the tribunal of the first instance, sitting at Dinaut, province of Namur.

The 10th of June, 1774, after the publication of the bans, were married Mathias Servais, my parishioner, baptized in the parish of Gerpinne, diocess and province of Namur, and Marie Adrianne Pelagie Latour, my parishioner, baptized in the parish of Moriame, diocess and province of Leodiensés, were present and witnessed.

OGERO SERVAIS, and
GENEVIEVE LATOUR.

A true and literal extract delivered at Dinaut, the 23d August, 1850, by undersigned, clerk of the tribunal.

FOURCY.

No. 50.

From the register of the acts of deaths of the commune of Aiseau, for the year 1826, found in the archives of the tribunal of first instance, sitting at Charleroi, province of Hainaut, has been taken the following extract:

On the 26th September, 1826, at 10 o'clock in the morning, before us, burgomaster, officer of the civil court of the commune of Aiseau, district of Charleroi, province of Hainaut, have appeared Jean Baptiste Bugniolle, farmer, and Jean Joseph Moreau, proprietor and assessor, neighbors, who have declared to us that this day, at one o'clock of the morning, Marie Adrienne Pelagie Latour, aged 74 years 6 months and 17 days, farmer's wife, resident of Aiseau, widow of Mathew Servais, daughter of Martin Latour, deceased, in the commune of Presles, district of Charleroy, province of Hainaut, and of Marie Caroline Gabrielle Renaut, deceased, in the commune of Morialine, district of Dinaut, province of Namur, died the first of January, at one o'clock in the morning, in the house No. 14. And the said witnesses have signed the present act with us, after it had been read to them.

(Signed) J. B. BUGNIOLLE,
J. J. MOREAU,
SERVAIS, *Burgomaster*,
And GESE, *S're*.

A true and literal extract delivered by the undersigned, head clerk of the said tribunal, this day, 1st August, 1850.

CONSIDIRANT, *Clerk*.

No. 51.

From an act received by Master Pierre Joseph Wantier, during his life, notary, at the residence of the city of Charleroy, third ward of the province of Hainaut, dated 25th May, 1838, recorded the next day, and of which the undersigned, Joseph Lefevre, notary, the same residence, has charge of his papers. It relates, that from the 28th September, 1819, the date of the said genealogical act of the legitimate heirs of Philippe François Renaut, ancient director of the mines in Illinois, in America, drawn up before Bonet, notary, at Charleroy, act of the said day, there has been some changes caused by death, which necessitates the following changes in the genealogy, namely:

1st. Of Marie Adrienne Pelagie Latour, widow of Mathias Servais, as daughter and heir of Marie Caroline Gabrielle Renaut, and of Martin Latour, deceased, at Aiseau, in 1826, leaving for only heir Antoine Joseph Servais, her son, proprietor, and heretofore residing at Aiseau, and at present at Montigny le Tillent.

2d. Of Hypolite Latour, while living, ancient cook and proprietor, residing at the said Aiseau, where he died unmarried in February, 1830, and without any other heir but the Sieur Antoine Joseph Servais, his nephew above mentioned, whom he made his universal heir by will, acknowledged before Jean Toussaint Joseph Dubuque, jr., notary at Charleroy, present witnesses on the 2d February, 1830, and recorded 25th of the same month, so that to-day the truth is, that the said Sieur Antoine Joseph Servais, son and nephew of the above mentioned persons, is the true and only heir to the successors of these and of the said Philippe François Renaut before mentioned and qualified, and by representation for one-third.

A true extract from the minutes.

F. J. LEFEVRE, *Notary.*

No. 52.

Extract from the register containing the acts of baptisms for the year 1778 of the commune of Hansuine, canton of Walcourt, in charge of the tribunal of the first instance, province of Namur.

The month of March, 22d day, 1778, was baptized Antoine Joseph, legitimate son of Mathias Servais and Marie Adrienne Pelagie Latour, who were married in this parish; sponsors were Joseph Bayenet and Marie Agnete Charlier.

A true and literal extract delivered at Dinaut, the 23d of August, 1850, by the undersigned, clerk of the tribunal.

FOURCY.

No. 53.

Extract from the register containing the acts of baptisms for the year 1775, of the commune of Hansuine, canton of Walcourt, in charge of

the clerk of the tribunal of first instance, sitting at Dinaut, province of Namur.

On the 27th August, 1775, was baptized Leopold, legitimate son of Mathias Servais and Marie Adrienne Pelagie Latour, who were married in this parish; were sponsors Martin Latour and Alexandrine Servais.

A true and literal extract delivered at Dinaut, the 23d August, 1850, by the undersigned, clerk of the tribune. FOURCY.

No. 54.

Extract from the register of the acts of marriages of the commune of Aiseau, for the year 1814.

The 3d December, 1814, before us, mayor, officer of the civil court of the commune of Aiseau, canton of Charleroy, depart[ment] of Jerumepe, have appeared Leopold Servais, 39 years of age, born of Hansuine, canton of Florennes, department of Lambre and Meuse, residing at Aiseau, miller, of age, son of Mathias, deceased, at Aiseau, and of Marie Adrienne Pelagie Latour, here present and consenting, and Demoiselle Jeannie Marie Louise Delalon, born at Wareunne, in the first ward of the department of Hourte, 38 years of age, servant woman, residing at Aineau, of age, born of Aleias Thomas, deceased, at Aiseau, and of Marie Catharine Dupre, here present and consenting, who required us to proceed to the celebration of the marriage agreed to between them, and of which the publications have been made before the principle door of entry of our commune house, to wit, the first on the 13th November, and the second on the 20th of the said month of November, 1814, at noon; no opposition to the said marriage having been made, proceeding to do their request, after have read to them all above mentioned, and of the chapter VI, of the title of the civil code entitled of the marriage, we asked the future husband and the future wife, if they wished to take each other for man and wife, and each having separately answered in the affirmative, we declare in the name of the law that Leopold Servais and Jeanne Marie Louise Delalon are united by marriage, for which we have drawn up the present act, in the presence of Pierre Joseph Delalon, 39 years of age, of Joseph Delalon, aged 27 years, and both farmers, residing at Aiseau, and brothers of the wife, of Ursine Joseph Servais, aged 32 years, miller, and brother of the husband, and of Pierre Joseph Denis, 36 years of age, guard of the forest, also both residing at Aiseau, who, after this had been read to them, also signed with us, and the parties consenting.

(Signed) U. J. SERVAIS,
P. J. DENIS,
LEOPOLD SERVAIS,
DELATOUR,
L. D. DELATOUR,
J. DELATOUR,
And SERVAIS, *Mayor*.

A true copy delivered at Aiseau, the 16th August, 1850.

The burgomaster, officer of the civil court. J. J. RICHEE.

No. 55.

Extract from the register of the acts of deaths of the commune of Aiseau, province of Haynaut.

The year 1818, the 9th of the month of November, before us, the mayor, officer of the state civil of Hainault, appeared Ursine Joseph Servais, brother of the deceased, and Peter Joseph Delalon, step brother of the deceased, who declared to us that this day, at 6 o'clock in the morning, Leopold Servais, aged 43 years, a miller, domiciliated at Aiseau, married and deceased at the mill of Orguier, and have signed with us the present act, after being read to them.

(Signed) DELALON,
V. J. SERVAIS,
And SERVAIS, *Mayor*.

A true extract delivered at the mayory of Aiseau, the 16th August, 1850.

The burgomaster, officer of the civil.

J. J. MICHIN.

No. 56.

Extract from the minutes of the records of the justice of the peace in the canton of Charleroi, province of Hainaut.

This day, 30th September, 1819, before us, justice of the peace of Charleroi, division of the right bank of the river Sambre, have voluntarily the paternal and maternal parents of Sieur and Demoiselle Adolph and Adele Servais, both infants of minor years, in charge and retained by Dame Louise Delalon, miller, residing at Aiseau, widow of Leopold Servais, who, during his life was miller in the said place, on the paternal side, 1st, Joseph Servais, mayor of the commune of Aiseau, uncle; 2d, Ursmer Joseph Servais, farmer, also uncle; 3d, Hypolite Latour, landed proprietor, grand uncle; and on the maternal, 1st, François Delaloux, farmer, uncle; 2d, Pierre Joseph Delalon, farmer, also uncle; 3d; Jean François Delalon, cultivator, first cousin, all of age, residing at the said Aiseau, except the said François Delalon, residing at Presles, who assembled in family counsel to name a subrogated tutor for the said minors, their mother being legitimate and lawful guardian; we, members composing the family counsel, presided by us, justice of the peace above mentioned, in conformity to the 416th article of the civil code, after having ripely deliberately on the object, submitted to their deliberation and to ours, have been unanimous to advise as well as ourselves to name, and by the fact we name the said Ursmer Joseph Servais for the subrogate tutor of the said minors, in order to act for their interests when they will be in opposition to those of their said mother and guardian. In consideration of the unanimous advice of the deliberations, we, justice of the peace above mentioned, have proclaimed the said Ursmer Joseph Servais for the subrogate tutor of the said Adolphe and Adde Servais; which said subrogate tutor hav-

ing accepted this charge and commission, has made oath to acquit himself faithfully and well. God giving me aid.

Made and deliberated in family counsel the day, month, and year marked in the text; and the deliberators and subrogate tutor have signed with us, after we had read this.

Signed JOSEPH SERVAIS,
V. J. SERVAIS,
H. LATOUR,
J. DELALON,
P. J. DELALON,
J. F. DELALON,
J. D. DESPINETO,
Justice of the peace,
and DELIMURE, *Clerk.*

Recorded at Charleroi, the 1st October, 1819, folio 126, case C. Received one florin eighteen centimes for fees.

Signed DULCIAT.
A true and literal extract. DE VISSER, *Clerk.*

Cost: Stamp - - $2 00
Transcript - 1 20

$3 20

No. 57.

Extract from the register of the acts of births of the commune of Aiseau.

The year 1816, the 12th December, before us, the mayor, officer of the state civil, of the commune of Aiseau, canton of Cherbourg, province of Hainault, appeared Leopold Servais, aged 40 years, a miller, domiciliated at Aiseau, who presented us an infant of the male sex, born the 9 of December, at 1 o'clock in the afternoon, of him and Marie Louise Delalon, his spouse, and to whom he has given the surname of Adolphe Mayloine; the said declaration and presentation being made in presence of Peter Joseph Delalon, aged 41 years, and of Peter Joseph Denis, aged 38 years, both resident at Aiseau, who have signed with us the present act of birth, after being read to them.

SERVAIS, *Mayor,*
LEOPOLD SERVAIS.

P. J. DENIS,
DELALON.

A true extract delivered at Aiseau, the 10th of August, 1850.
The burgomaster, official state civil. J. J. MECHIE.

No. 58.

Extract from the register of the acts of births of the commune of Aiseau.

The 20th of February, 1815, before us, mayor, officer of the civil

court, of the commune of Aiseau, canton of Charleroy, department of Jemmape, has appeared Leopold Servais, 39 years of age, miller, residing at Aiseau, who presented us an infant of the female sex, born the *the* 19th of the said month of February, at 9 o'clock at night, child of said witness and of Marie Louise Delalon, his wife, and to whom he said he wished to give the given names of Adel Lucie. The said declaration and presentation were made in the presence of Pierre Joseph Delalon, aged 39 years, adjunct, and of Ursine Joseph Servais, 33 years of age, farmers, both residing at Aiseau; and the father and witnesses have signed the present act of birth with us, after it had been read to them.

Signed SERVAIS,
LEOPOLD SERVAIS,
DELALON,
V. J. SERVAIS, *Mayor.*

A true extract delivered at Biseau, the 16th August, 1850.
The burgomaster and officer of the civil court.

J J. BICHER.

No. 59.

From the register of the acts of marriage of the commune of Auderlues, for the year 1815, placed in the archives of the tribunal of the 1st instance of the district of Charleroi, province of Hainaut, the following extract has been made.

The 16th August, 1815, before us, Philippe Joseph Sadin, adjunct, mayor, and officer of the civil court, of the commune of Auderlues, special delegate of Mr. De Lange, mayor of the said commune, canton of Buiche, district of Charleroi, department of Jemmape, have appeared Ursine Joseph Servais, 30 years of age, farmer, born at Presle, and residing at Aiseau, same district, eldest son of Mathias Servais, deceased at the said Aiseau, the 16th June, 1812, and of Marie Adrienne Pelagie Latour, residing at the said Aiseau, consenting to the present marriage by writing, and Demoiselle Hyacinth Louise Joseph Copin, aged 20 years, farmer woman, born at Herchier, department above mentioned, and residing at the said Auderlues, daughter, under age, of Françoise Joseph Copin, deceased, in said Auderlues, and Marie Philippine Godart, farmer's woman, residing in the said Auderlues, here present and consenting to the present marriage, who have required us to proceed to the celebration of the marriage projected between them, and of which the publications have been made before the principal door of the house of the commune of Aiseau and Auderlues, namely, the first on Sunday, the sixth instant, 1815, at the hour of noon; the second on Sunday, the 13th of said month of August, at the same hour.

No opposition to the said marriage having been signified to us, proceeding to comply with their request, after having read the above, and the VI chapter of the civil code on marriages, we asked to the future

husband and to the future wife if they wished to take each other for man and wife; both having answered separately in the affirmative, we declare, in the name of the law, that Monsieur Ursine Joseph Servais and la Demoiselle Hyacinthe Louise Joseph Copin are united by marriage; for which we have drawn up this act, in the presence of the Sieur Joseph Servais, aged 36 years, mayor of the commune of Aiseau, of the same district, and of Jean Joseph Vray, 29 years of age, farmer; the first being brother of the future husband, the second first cousin of the future husband, and residing at the said Aiseau; of Pierre Philippe Copin, 22 years of age, farmer, brother of the future wife, and Theophila Le Brun, aged 25 years, farmer, residing *residing* at the said Auderlues; who, after this had been read to them, also have signed it with us and the parties contracting.

Signed U. J. SERVAIS,
JOSEPH SERVAIS,
JOSEPH VRAY,
HYACINTHE LOUISE COPEN,
PIERRE PHILIPPE COPEN,
F. LE BRUN,
MARIE PHILIPPE DONART,
et P. J. SADIN, *Adjunct.*

A true and literal extract delivered by the undersigned, clerk of the said tribunal, this 16th day of August, 1850.

CONSIDERANT, *Clerk.*

No. 60.

Extract from the register of the acts of deaths of the commune of Herchies, in charge of the clerk of the civil tribunal of Mons, province of Hainaut.

The 11th April, 1828, at 9 o'clock in the morning, before us, Benoni Gravoise, burgomaster, officer of the civil court of the commune of Herchies, district of Mons, province of Hainaut, have appeared Charles Fontaine, proprietor, 31 years of age, and Benjamin Baulmene, scribe, 27 years of age, residing at Herchies, who have testified that yesterday, at noon, died Ursina Servais, farmer, aged 45 years, husband of Hyacinthe Louise Copin, born at Presles; and the witnesses have signed the present act of decease with us after it had been read to them.

Signed CH. FONTAINE, BAULMENE, GERVOISE.

A true extract. Mons, the 26th August, 1850.

N. HUART, *Clerk.*

No. 61.

Extract from the register of the acts of births of the commune of Aiseau.

The 13th February, 1817, before us, mayor, officer of the civil

court of the commune of Aiseau, canton of Chatilet, province of Hainant, has come Ursine Joseph Servais, 34 years of age, farmer, residing at Aiseau, who has presented a child of the masculine sex, born this day, at 10 o'clock of the morning, of him and of Hyacinthe Louise Joseph Copen, his wife, and to which he declared he wished to give the given names of Ferdinand Auguste Joseph ; the said declaration and presentation were made in the presence of Hypolite Joseph Latour, aged 64 years, landed proprietor, and Pierre Joseph Delalon, aged 41 years, adjunct, both residing at Aiseau ; and the father and witnesses have [signed] the present act of birth with us, after it had been read to them.

(Signed) DELALON,
DELALON,
SERVAIS,
H. LATOUR,
V. J. SERVAIS, *Mayor.*

A true extract, delivered at Aiseau the 16th August, 1850.
The burgomaster, officer of the civil court.

J. J. BICHER.

No. 62.

Extract from the register of the acts of births of the commune of Aiseau.

The 16th November, 1820, before us, mayor, officer of the civil court of the commune of Aiseau, district of Charleroi, province of Hainaut, has appeared Ursine Joseph Servais, aged 38 years, farmer, residing at Aiseau, who presented to us a child of the feminine sex born this day, at 4 o'clock of the afternoon, of him and Hyacinthe Louise Joseph Copin, his wife, and to which he declared he wished to give the given names of Marie François Albertine Celestine; the said declaration and presentation were made in the presence of Adalbert Winowsky, aged 65 years, landed proprietor, residing at the commune of the Pont le Loup, and Hypolite Latone, aged 67 years, landed proprietor, residing in Aiseau; and the father and witnesses have signed the present act of birth with us, after it had been read to them.

Signed, WINOWSKE,
L. LATOUR,
U. J. SERVAIS,
SERVAIS, *Mayor.*

A true extract, delivered at Aiseau, the 16th August, 1850.
The burgomaster, officer of the civil court.

J. J. BICHER.

Testimony of Mr. Cozzens.

9, Survey made by order of the court, (see survey annexed.)

Renault left the country in 1744.

Renault left this country in 1744, and never returned. Mr. Coz-

zens, the surveyor, in his testimony stated that he found no difficulty in identifying the spot called for by the grant; the "first fork," leading to the cabanage de Renaudiere spoken of, is called by the inhabitants "Fourche à Renault," or "Mineral Fork." The cabanage de Renaudier, Renault's furnace, and the Grand Mine, are marked on the map. There are many evidences of old diggings, and extensive remains of Renault's; what is called Renault's furnace are yet to be seen. I am a surveyor, and understand French; I cannot say how the tract should be surveyed according to the terms of the grant; do not know what the expression, "the rivulet being perpendicular" means, nor how the lines can be run from Renault's furnace to the Great Mine consistently with the other calls; in fact, I cannot survey the tract with any certainty by the grant; I can say that the land in that section of country and at the Fourche à Renault—

Here the plaintiffs rested.

The defendants offered in evidence a Spanish grant, made in 1800, that interferes with the Renault grant. Also, a grant called the Old Mine concession, made in May, 1803, which grants are as follows, to wit:

Grant to Thos. Maddin.

No. 184. Thomas Maddin, claiming 6,000 arpens.

To John Charles Dehault Delassus, lieutenant colonel attached to the stationary regiment of Louisiana, and lieutenant governor of the upper part of the same province. Thomas Maddin, R. C., formerly an inhabitant of the United States, and settled on this side of the Mississippi, with his numerous family, since a number of years owner of slaves and deputy surveyor of the post of St. Genevieve and New Bourbon, has the honor respectfully to represent, that, having but an insufficient quantity of land to exert his industry, and to maintain a great number of cattle, he would wish to obtain from the generosity of the government the same favor which he has been pleased to grant to all those who wanted to establish stock farms; therefore, full of confidence in your justice and in the perfect knowledge you have of his conduct and his means, he has the honor respectfully to supplicate you to have the goodness to grant to him, in full property, a concession for a tract of land of 6,000 arpens in superficie, to be taken in a vacant place of the domain, situate in the districts of St. Genevieve and New Bourbon; your petitioner, having no other views but to continue to live as a peaceable and submissive cultivator of the soil, and to bring up his family in the same principles, hopes that you will be pleased to do justice to his demand in a way favorable to the accomplishment of his views.

THOMAS MADDIN.

St. Louis of Illinois, *January* 15, 1800.

Considering that the petitioner is one of the first settlers in this country, who came from the United States, and whose known conduct and

personal merit are recommendable, and being satisfied to evidence as to the truth of what he states in his petition, the whole being supported by the information given by the commandant of the post of New Bourbon, captain of militia, Don Pedro Delassus Deluziere, I do grant to him and his heirs the land which he solicits; provided, it is not prejudicial to any body; and the surveyor, Don Antonio Soulard, shall put the party interested in possession of the quantity of land he asks, in a vacant place of the royal domain; and this being executed, he shall make out a plat of his survey, delivering the same to said party, with his certificate, in order to serve him to obtain the concession and title in form from the intendant general, to whom alone corresponds, by royal order, the distributing and granting all classes of lands belonging to the royal domain.

CARLOS DEHAULT DELASSUS.

We, the undersigned, civil and military commandant of the post of New Bourbon, do certify to the lieutenant governor of Upper Louisiana, that the statement in the present petition is very exact, sincere, and true, and that the petitioner deserves, under all points of view, to obtain the concession of 6,000 arpens of land he asks for, in a vacant place of the King's domain, and laying in parts in the districts of St. Genevieve and of New Bourbon, in order to make thereon a stock farm, as much on account of the essential services he has frequently rendered to the inhabitants of the said two districts, in his capacity of deputy of the King's surveyor, as because he is very honest and well versed in the art of good cultivation; that he has a great number of cattle, and sufficient means to establish very advantageously the said stock farm. Done in New Bourbon, January 10, 1800.

PRE. DELASSUS DELUZIERE,
FRANCISCO VALLE,
Commandant of St. Genevieve.

The petitioner has the honor to represent to you, that not having found a sufficient quantity of land, suitable to his views, in one of the districts mentioned in his petition, he prays you to grant him 4,000 arpens in the district of St. Genevieve, situated at a place where there is a large spring which empties into the river Des Chevreuil, (Deer Creek,) bounded by a small branch of Grand river, about three miles east of the old mine, and the other 2,000 arpens remaining on the river Aux Vases, on the north branch, above the concession of Mr. St. Vrain.

THOMAS MADDIN.

St. Genevieve, March 1, 1800.

ST. LOUIS, *March* 15, 1800.

Permission is given to the petitioner to take the concession in the place he asks for, provided it is not to the prejudice of any body, whether he establishes his stock farm now or in a more remote time.

DELASSUS.

The said title of concession has been registered, and its compared copy deposited in the archives of the post of New Bourbon, under No. 50. D. L. S.

Truly translated. St. Louis, September 3, 1833.
JULIUS DE MUN, T. B. C.

No.	Name of original claimant.	Quantity of arp's.	Nature and date of claim.	By whom granted.	By whom surveyed, date, and situation.
184	Thos. Maddin, sr.	2,000	Concession 15th January, 1800, for 6,000 arpens.	Carlos Dehault Delassus.	2,000 arpens by Nathaniel Cook, D. S., 14th December, 1805; received for record by A. Soulard, S. G., 27th Feb., 1806, on river Aux Vases.

Evidence with reference to minutes and records.

June 23d, 1806. The board met agreeably to adjournment; present, the honorable Clement B. Penrose and James L. Donaldson, esqrs.

Thomas Maddin, sr., claiming 6000 arpens of land, situate in the district of St. Genevieve, produces a concession from Charles D. Delassus, dated January 15, 1800; a certificate of survey of 2000 arpens, dated 14th of December, 1805; and a further warrant of survey for 4000 arpens, in consequence of the said claimant not having found more than 2000 arpens in compliance with the aforesaid concession, the same dated the 15th March, 1800; and another certificate of survey of 4000 arpens, dated December 1, 1803.

The board reject this claim and call for further proof of the date of said concession; they observe that the said claimant had at the time of obtaining said concession a wife and seven children, and seven slaves; was a surveyor of the said district, in which capacity he acted from the year 1797 until the change of government; see book No. 1, page 334.

August 23, 1810. Board met; present, John B. C. Lucas and Clement B. Penrose, commissioners.

Thomas Maddin, senior, claiming 6000 arpens of land, see book No. 1, page 334. It is the opinion of the board that this claim ought not to be confirmed. See book No. 4, page 470.

August 27, 1833. The board met pursuant to adjournment; present, L. F. Linn, A. G. Harrison, and F. R. Conway, commissioners.

Thomas Maddin, senior, claiming 2000 arpens of land, the residue of a concession originally for 6000 arpens, (of which 4000 arpens have been confirmed, see Bate's decisions, page 35,) situated on the waters of river Aux Vases, see book No. 1, page 334, No. 4, page 470, record book A, page 516; produces a paper purporting to be an original concession from Charles Dehault Delassus, dated 15th January, 1800,

with an additional permit to take the said quantity of land in two different places; and also a recommendation from Pierre Delassus Deluziere, commandant of New Bourbon.

The following testimony was taken before L. F. Linn, esq., one of the commissioners:

STATE OF MISSOURI,
County of St. Genevieve.

John Baptiste Valle, aged about 72 years, being duly sworn as the law directs, deposeth and saith, that he was well acquainted with Pierre Delassus Deluziere; that he has frequently seen him write; that he was the commandant of the post and district of New Bourbon in the year 1800; and that the name and signature to the recommendation for said grant, dated the 10th of January, in the year aforesaid, is the proper name and signature, and in the proper hand, of the said Pierre Delassus Deluziere. And this deponent further says, that he was well acquainted with Charles Dehault Delassus; that he has frequently seen him write; that he was lieutenant governor of the province of Upper Louisiana in the year 1800; and that the name, and signature, and handwriting to the said concession from said Charles Dehault Delassus of the 15th January, 1800, and of the 15th March, in the same year, to said Thomas Maddin for said 6000 arpens of land, is the proper name and signature, and in the proper handwriting, of the said Charles Dehault Delassus. And this deponent further says, that at the date of the grant aforesaid the said Thomas Maddin was a citizen and resident in the then province of Upper Louisiana; that he had a large family, slaves, stock, and other property, and was enterprizing and industrious; and that the said Maddin has been from thence, hitherto, and still is, a citizen and resident in the country; that he opened a large farm and built a grist mill and saw mill on some of the land conceded to him.

J. B'TE VALLE.

Sworn to and subscribed before me, L. F. Linn, one of the commissioners, &c., this 4th day of May, 1833.

L. F. LINN, *Commissioner.*

See book No. 6, page 255.

October 16th, 1834. The board met pursuant to adjournment; present, F. R. Conway, J. S. Mayfield, and J. H. Relfe, commissioners.

Thomas Madden, claiming 2000 arpens of land, see book No. 6, page 255. The board are unanimously of opinion that this claim ought to be confirmed to the said Thomas Maddin, or to his legal representatives, according to the concession. See book No. 7, page 40.

JAMES S. MAYFIELD,
JAMES H. RELFE,
F. R. CONWAY.

Old Mine concession.

No. 9.

Old Mine concession.

Don Carlos Dehault Delassus, lieutenant colonel of the stationary regiment of Louisiana, lieutenant governor of the western part of said province.

The undersigned inhabitants, of whom the greatest part are natives of the country, and the rest Canadians and Frenchmen, settled since several years at the place known by the name of Vieille Mine, (Old Mine,) situated on one of the forks of the river Renault, at the distance of 60 miles of the village of St. Genevieve, and at about 9 miles of the village of Mine à Breton, have the honor of representing to you that their confidence in the reiterated promises of their chiefs, and in the generosity of the government, has kept them in such a state of security that they have delayed till this day to make the necessary demands to obtain the titles of the land they cultivate and improve since a number of years. The publication of your official note, dated 18th May, of this year, addressed to the commandant of the post of St. Genevieve, by which we have learnt the retrocession of this colony to France, which news made us acquainted with the precarious state of our properties, and has caused us to take the step we are taking to-day before you, hoping of your justice that it will not belie in any thing the long series of favors which have been accumulated upon us by the Spanish government, and that you will give us in these last moments a shining mark of your justice in condescending to acquiesce with our respectful representations. Therefore, the thirty-one heads of families, undersigned, have the honor to supplicate you to have the goodness to grant to them, at the same place where they claim, a quantity of land corresponding to their population, according to the last regulation made on this subject by late his lordship, the governor general of these provinces, Don Manuel Gayoso de Lemos, for the said quantity corresponding to the number of individuals composing the said families, to be divided in equal portions to each of them, and to be allotted by chance according to the dispositions they shall take among themselves, with the approbation of their respective commandant, Don François Valle, as well as with the surveyor of this Upper Louisiana. The said undersigned engaging themselves beforehand to assure you that no contest shall trouble the good harmony which reigns among them in the said division, to obtain which more surely, they hope that if you condescend to grant them their demands you will be pleased to order the total survey of the quantity of land which will correspond to them, according to which a certificate of survey will be expedited to serve to the said inhabitants to claim their title in form from whom it may concern. The said plat of survey shall have to be divided according to the above mentioned agreement in as many equal portions, which shall all be numbered, and each of the said inhabitants will have to be put in possession of a

figurative plat of the part of land which shall fall to him by lot, with the attestation of the surveyor to serve to each of them as a proof of property, precautions which they believe they ought to take to be able to avoid henceforward difficulties which might take place among themselves. The said undersigned inhabitants have the honor of reiterating their supplications and of representing to you that this same concession was promised to them by your predecessors, since a number of years, and that the great confidence they had in these same promises are the only wrongs they are guilty of truth, which can be attested to you by our worthy respective commandant, Don François Valle, to whose information we do recommend ourselves with the same confidence which causes us to believe that you will be pleased to grant to us the concession for the quantity of land corresponding to the totality of the population of the families of the undersigned at the same place where they claim to enjoy in full property the part which will fall to each by lot, and exercise their industry as well in agriculture as in digging lead mineral which might be found on said land. The undersigned have no other views but to live as peaceable and submissive farmers, presume with confidence to hope every thing of your justice. St. Genevieve, May 25, 1803.

Charleau Boze,	Louis Boyer, his x mark,
Hypolite Robert,	Louis Lacroix, his x mark,
Charles Robert, his x mark,	Basil Valle, his x mark,
Widow Colmant, her x mark,	J. Guibourd,
Maniche, his x mark,	François Thibaut, his x mark,
Blay, his x mark,	Jacob Boisse, his x mark,
Antoine Govereau, his x mark,	Joseph Bequet, his x mark,
Pierre Bte. Boyer, his x mark,	François Milhomme, his x mark,
Bernard Colmant, his x mark,	James Roxe,
Alexander Duclos, his x mark,	N. Boilvin,
Amable Partnay, his x mark,	Jh. Pratte,
Joseph Boyer,	Pierre Martin, his x mark,
John Porter,	François Bte. Valle,
Manuel Blanco,	P. Charles,
Bapt. Placet, his x mark,	Augt. Valle,
Jean Robert, his x mark.	Amable Pasenute, his x mark.

Be the present petition transmitted to the lieutenant governor, with information that the allegations of the petitioners are in all and every part conformable to the most exact truth; that they are worthy of obtaining the favor which they beg of your justice; that the tract of land they ask makes a part of his majesty's domain; that the proposed settlement can be but advantageous to the country in general; and that the total population of the families of the undersigned is composed of the following number of individuals—heads of families, 31; women, 13; children, 72; slaves, 18. The knowledge I have acquired of the locality and of the character of the interested, lead me to recommend

them particularly to your justice, as I consider them worthy of obtaining from the government the favor they solicit for with respect.

FRANCISCO VALLE.

St. Genevieve, May 25, 1803.

ST. LOUIS OF ILLINOIS, *June* 4, 1803.

Cognizance being taken of what is advanced in this memorial, dated 25th May of this year, supported by the information of the captain, Don Francisco Valle, commandant of the town of St. Genevieve, and by his official note of same date. Considering the authenticity of said information, besides the fidelity and affection which these inhabitants have always manifested, so much so that at all times they deserved praises from the authorities, and the miserable state in which the interested would find themselves if, in these circumstances of effectuating the delivery of the colony, they had no title to prove the antiquity of their properties, I do grant to them, in full property, for them and their heirs in the same place they inhabit and cultivate since many years, which properties were assigned to them by my predecessors as follows: Four hundred arpens in superficie for each of the thirty-one families that have signed, which will make the quantity of twelve thousand four hundred arpens in superficie, which quantity shall be surveyed in a square form, if possible; and no one of these concessions shall be taken separately, but (the whole tract) shall be divided in thirty-one parts of four hundred arpens each; which after being surveyed and figurative plats executed, shall be numbered and drawn by lot in presence of Don Francisco Valle, or another officer commissioned by him to represent him at the said drawing; and the drawing of numbers shall begin by the first settled in said place, and will follow successively to the last one settled; and the surveyor general of this Upper Louisiana, Don Antonio Soulard, will execute the survey according to what is specified in this decree, and conforming himself to what is asked by the interested in the above petition, observing as to what relates to the expediting of plats and certificates, that this concession must not be prejudicial to any other than has been already surveyed; and the said operations being done, and certificates of survey delivered to the interested, as I have been informed, (by the intendant of these provinces, Don Juan Ventura Morales, in his official note dated 1st December of last year;) that on account of the death of the assessor of the intendancy, the tribunal of land was shut until a new order is received, the said interested will have to wait of this new order to the said tribunal of the intendancy, (to which alone belongs, by order of his majesty, the granting of all classes of lands belonging to the royal domain,) to obtain the title in form; in the mean while the interested will possess it quietly.

CARLOS DEHAULT DELASSUS.

A true translation of the original Old Mine concession.

JULIUS DE MUN.

DON ANTONIO SOULARD,
Surveyor general of the settlements of Upper Louisiana.

I do certify, that I have run the lines measured, and bounded a tract of land of twelve thousand four hundred arpens and forty perches in superficie, in favor and in presence of the thirty-one heads of families who have signed the petition here annexed; said tract to be hereafter divided in thirty-one concessions of four hundred arpens each, according to the tenor of the proprietor's petition, and to what is ordered by superior decree of the lieutenant governor; which lines of divisions have not been run on account of the taking of possession and of the order which has been forwarded to me by the captain of artillery of the United States of America, Amos Stoddard, first civil commandant of Upper Louisiana, intimating to me to suspend all sorts of operations of survey on said tract until I receive new orders. And as I am obliged by my private agreement with the said settlers to have their lands bounded and divided in thirty-one concessions of four hundred arpens each, according to their demand in the above mentioned petition; and as it is ordered by the lieutenant governor, as soon as I shall be authorized by the government, I will conclude faithfully the said operation. The foregoing survey has been executed with the perch of the city of Paris, of 18 French feet lineal measure of the same city, according to the agrarian measurement of this province. Said land is situated at about fifty miles to the W. N. W. of the post of St. Genevieve, bounded as follows: To the north by lands of F. Tayon; south, in part, by lands of Elias Bates, Augustine Chouteau, son of Don Pedro, and by vacant lands of the royal domain; to the east and west by said vacant lands of the royal domain. Said survey and measurement was executed without regard to the variations of the needle, which is 7° 30′, as is evident by the figurative plat here above, in which are noted the dimensions, directions of the lines, other boundaries, &c., which survey was executed in virtue of the decree of the lieutenant governor and sub-delegate of the fiscal department, Don Carlos Dehault Delassus, dated 4th June of last year, here annexed. In testimony whereof, I do give the present with the figurative plat above drawn, in conformity with the survey executed by the deputy surveyor, Don Thos. Maddin, dated 3d February of this present year, and signed by him on the minutes, which I do certify. ANTONIO SOULARD, *Surveyor general.*

St. Louis of Illinois, March 15, 1804.

October 17th, 1832. A true translation.

JULIUS DE MUN.

No.	Name of original claimant.	Quantity of arp's.	Nature and date of claim.	By whom granted.	By whom surveyed, date, and situation.
9	Alexander Duclos, by his assignees, John Smith, T. & Co., and 30 other claimants, each for four hundred arpens.	420	Concession for 12,400 arpens granted to 31 heads of families, June 4, 1803.	Carlos Dehault Delassus.	The 12,400 arpens by Thomas Maddin, Feb. 3, 1804. The 31 divisions by said Maddin, December 20, 1805, certified by Soulard February 25, 1806.

Evidence with reference to minutes and records.

October 22, 1808. Board met; present, the Hon. Clement B. Penrose and Frederick Bates.

John Smith, T. & Co., assignees of Alexander Duclos, claiming 420 acres (arpens) of land situate as aforesaid, (to wit, at the Old Mine, district of St. Genevieve,) produces as aforesaid, (to wit, a concession from Charles Dehault Delassus, lieutenant governor, as a special permission to settle to thirty-one inhabitants the same concession wherein Alexander Duclos is found to be one of the thirty-one inhabitants; also the plat aforesaid, in which plat said Duclos is No. 7.

A deed of transfer from said Duclos to claimants, dated 24th August, 1805.

Peter Boyer, sworn, says: Alexander Duclos was settled in the village of Old Mines, and inhabited and cultivated a part of said tract of 12,400 arpens five years ago, and for three years. Laid over for decision. See book No. 3, page 313.

December 21st, 1811. Board met. Present, John B. C. Lucas, Clement B. Penrose, and Frederick Bates, commissioners.

John Smith, T., assignee of Alexander Duclos. See book No. 3, page 314. It is the opinion of Clement B. Penrose, commissioner, that this claim ought to be granted, being embraced by the 2d section of the act of 2d March, 1805, and claims with as slight testimonies have been granted. It is the opinion of John B. C. Lucas, commissioner, that this claim ought not to be granted, because the testimony of Peter Boyer concerning the inhabitation and cultivation of Alexander Duclos is indefinite, and does not apply more to the part of the connected plat to which his claim refers, than to any other part of the 12,400 arpens represented by the connected plat Frederick Bates, commissioner, forbears giving an opinion. See book No. 5, page 330.

October 5, 1832. The board met pursuant to adjournment. Present, Lewis F. Linn and F. R. Conway, commissioners.

John Smith, T. & Co., assignees of Alexander Duclos, claiming 420 acres of land. See book No. 3, page 313; book No. 5, page 530; record book D, page 13. Produces a paper purporting to be the original survey for 12,400 arpens taken the 3d of February, and certified the 15th March, 1804, signed Antoine Soulard, surveyor general; said survey not heretofore recorded. M. P. Le Duc, duly sworn, saith, that the signature to the aforesaid survey is the handwriting of said Antoine Soulard.

The said claimant also files a paper purporting to be the original deposition taken in behalf of said claimant before the district court of the United States.

November 20th, 1832. The board met pursuant to adjournment. Present, Lewis F. Linn and F. R. Conway, commissioners.

Old Mine concession for 12,400 arpens of land. See book D, page 67 and following; record of survey, book D, page 73; for testimony see book 5, page 530.

The following additional testimony was taken in the foregoing case in compliance with a resolution of this board of the 10th of October last.

STATE OF MISSOURI,
County of St. Genevieve.

The inhabitants of the Old Mine, 31 in number, and their heirs and representatives, each claiming 400 arpens of land, situated at a place called the Old Mine, in the former district of St. Genevieve, now the county of Washington, where Joseph Pratte in his own right, and Joseph Pratte under Antoine Goveran, and Walter Wilkinson under Bazil Valle, and Charles C. Valle in his own right, and François B. Valle in his own right, and St. Germine Beauvais under Thomas Ross, and the heirs and legal representatives of Jacques Guibourg, and Bartholomew St. Germine under Bte. Placet, produce the original concession, dated the 4th day of June, in the year 1803, granted on the petition of the said inhabitants, dated the 25th of May, 1803, and granted and signed by Charles Dehault Delassus, lieutenant governor of Louisiana. The claimants also produce general and particular plats of survey, made according to law, made by the proper authorities, under the Spanish and American governments. When Paschal Detchmendy, who is aged 71 years, being produced and duly sworn, as the law directs, deposeth and saith, that he came to this country in the year 1796, and that he has remained in the country ever since.

That he is well acquainted with the handwriting and signature of Charles Dehault Delassus, who was at the date of this grant or concession the lieutenant governor of Upper Louisiana; that he has frequently seen him write his name, and that the name and signature to the said concession, dated the 4th day of June, 1803, is the proper handwriting of the said Charles Dehault Delassus; and the body of the said concession is in the handwriting of Antoine Soulard, then surveyor general of Upper Louisiana. This deponent further states, that he knows personally (for he was frequently on the land granted, as he traded to said place,) that the land conceded to each of the claimants, here above stated, was taken possession of by them in person, or by some persons for them and for their use, and in their behalf. And this deponent further says, that he knows that the land aforesaid, conceded to each individual, was not only taken possession of as aforesaid, but that many of the tracts were actually inhabited and cultivated by the concessioners, in person, or by some person for them or under them, from the date of the concession aforesaid till the present time. And this deponent further states, that, as early as the year 1797, he made application to Zenon Trudeau, who was then lieutenant governor of Upper Louisiana, for a grant of land at this very place, and that said Zenon Trudeau refused him the grant, stating as his reason for refusing that the said land was already promised to the said inhabitants of of the Old Mine, and would be granted to them so soon as they could

make the application in form. And this deponent further states, that he knows that each of the original concessioners aforesaid were, at the date of the concession aforesaid, actual inhabitants and citizens of this country, and that the others in general continued inhabitants during their lives; and that the present claimants are all citizens and residents of this State. And this deponent further states, that he has been informed from a source entitled to credit, that Moses Austin asked for and wanted a grant for the same land aforesaid, and was refused by the Spanish authorities for the same reasons that this deponent was refused.

P. DETCHMENDY.

Sworn to and subscribed before me, the subscriber, Lewis F. Linn, one of the commissioners appointed to finally settle and adjust land claims in Missouri, this 29th day of October, 1832.

L. F. LINN.

Translation.

In the year 1800, on the 4th of January, I have supplied the ceremonies of baptism to Charles François Pierre Auguste Valle, legitimate son of François Valle, civil and military commandant of St. Genevieve, and of Maria Carpentier, his wife, born on the 5th of March, of the preceding year, and sprinkled (ondoyé) the same day. The godfather has been Don Carlos Auguste Delassus, lieutenant governor of Illinois; the godmother Miss Julia Valle, who have signed with us.

MAXWELL, *Curate*.

I, the undersigned priest, officiating at the Old Mine, and being for the present in St. Genevieve, certify, that the above certificate of baptism of Charles François Pierre Auguste Valle is a true copy, faithfully extracted from the register of the church of St. Genevieve.

Given and signed in St. Genevieve, the 30th October, 1832, the curate of the said St. Genevieve, Rev. Mr. Dahmen, having declared to be unable to do it on account of sickness.

J. BOUILLIER.

See book No. 6, page 28 and following.

July 1, 1833. The board met pursuant to adjournment. Present, Lewis F. Linn, F. R. Conway, commissioners.

In the case of the Old Mine concession, the following testimony was taken before L. F. Linn, commissioner.

ST. GENEVIEVE, *April* 29, 1833.

John Bouillier being duly sworn, deposes and says, that as curate of Joachin parish, (Old Mine,) he is well acquainted with some of the original claimants named in this concession, particularly with widow Coleman, and knows that she has 165 children and grandchildren, most of whom reside on the concession, and great many on that part which it is said, according to the numbers, belongs to her; also that he

is well acquainted with Charlot Boyer and wife, and knows they have 97 children and grandchildren, nearly all residing on the concession, and several on that part which, according to the numbers, is said to belong to them; and also he knows well the widow of Jean Portais, and that she has 45 children and grandchildren, and most of whom reside on the concession, and that part which is said to belong to her, according to the number; and also he likewise knows Bernard Coleman and wife, and they have 35 children and grandchildren, many of whom reside on the concession, and that he knows they are generally worthy, industrious, honest people; and that they have exerted themselves much with their limited means to build a church and preserve their religious privileges; that he verily believes if many of these old respectable and venerable people, relying on the justice and liberality of the government, were, at their advanced age, to be deprived of their lands, they would inevitably sink under so heavy a calamity.

J. BOUILLIER.

Sworn to and subscribed, day and date above written.

L. F. LINN,
Land commissioner.

See book 6, page 208.

Personally appeared before L. F. Linn, one of the commissioners appointed for the final adjustment of private land claims in Missouri, Thomas Maddin, aged ninety-three years, who, after having been sworn, deposes and says, that he was deputy surveyor under the Spanish and American governments. Deponent says that he surveyed the tract of land called the Old Mine concession, granted to thirty-one heads of families. He surveyed the general survey in the year 1804, 3d February. Deponent further states, that on the 22d of December, 1805, he run the division lines by running across the original survey, and making a point on each division line, so that each individual might know his claim. Deponent further states, that he run the special lines between claims marked in the plat at the request of the individuals interested, who paid him for the same. Deponent further states, that at the time he heard of no complaints or dissatisfaction expressed by the claimants at the division as made, nor until lately. Deponent further states, that it appeared to him understood between the claimants that, in the event of an individual who had made an improvement being thrown on a tract where there was no improvement, he was to be paid for his labor.

THOMAS MADDIN.

Sworn to and subscribed, May 11, 1833.

L. F. LINN, *Commissioner.*

Personally appeared before L. F. Linn, one of the commissioners appointed for the final adjustment of land claims in Missouri, Charlot Boyer, who, after being duly sworn, deposes and says, he came to the place now called Old Mines, in the year 1801, and has continued to

reside at the place ever since. Deponent says that he is eighty-three years of age. Deponent further states, that Baptiste Valle and C. H. F. Valle (Auguste) never resided or cultivated land on the Old Mine concession. Deponent further states, that he was well acquainted with Manuel Blanco; that he knew of said Blanco having settled on and improved a piece of land which was claimed by Elias Bates, and not embraced in the Old Mine concession. Deponent further states, that said Blanco never resided or cultivated land in the Old Mine concession. Deponent further states, that he was well acquainted with John Potel, who came to, and resided on, the Old Mine concession in the year 1801; that he commenced that year to build a house and barn; after which began to open lands for cultivation. Deponent further states, that John Potel, jr., resided in a house built on the same land, which house joins the one built by his father. Deponent further states, that he was well acquainted with Pierre Martin, and knows that said Martin never resided on or cultivated land in the Old Mine concession. Deponent further states, that he was well acquainted with Jacob Wise; that said Wise never resided on or cultivated [land] in the Old Mine concession. Deponent further states, that he was well acquainted with Alexander Duclos, who inhabited and cultivated land in the Old Mine concession. Deponent says he cannot recollect the time, but it was many years since, perhaps in 1803 or '4. Deponent further says, said tract of land, so inhabited and cultivated, lies near a place formerly inhabited by N. Hebert, in the Old Mine concession. Deponent further states, that he was well acquainted with his nephew, Charles Robert, who inhabited and cultivated land in the Old Mine concession, which was a tract of land adjoining one inhabited and cultivated by Alexander Duclos, their houses being the width of one arpent apart. Deponent further states that he was well acquainted with Joseph Pratte; that said Pratte never resided on or cultivated land in the Old Mine concession. Deponent further states, that he was well acquainted with Francis Maniche; that said Maniche built a house and cultivated a garden in the Old Mine concession. He does not recollect distinctly at what time, but it was many years since. Same place is now inhabited by François Portel.

CHARLOT BOYAR.
L. F. LINN, *Commissioner*.

CALEDONIA, *Washington county*.

Personally appeared before L. F. Linn, one of the commissioners appointed, &c., John Stewart, formerly deputy surveyor in Upper Louisiana, who, after being sworn, deposes and says, that he came to this State, and to this, now Washington county, in the month of November, 1800, and transacted business at and near the Old Mines in part of the years 1803 and '4; that he was well acquainted with the persons residing at that time in the Old Mine concession, and knows that Joseph Pratte resided in St. Genevieve, and never was, to his knowledge, an inhabitant of the Old Mine. Deponent further states,

that C. F. Auguste Valle, alias Charles C. Valle, was at that time very young, and did not reside on the Old Mine concession. Deponent further states, that Pierre Martin was a resident of Mine à Breton, and never [a] resident of the Old Mines; nor did he cultivate land on the same, to the best of his knowledge. Deponent further states, [that] he never knew or heard of Baptiste Valle's being an inhabitant of the Old Mine concession. He has always heard of his residence being in St. Genevieve. Deponent further states, that Manuel Blanco resided on a piece of land belonging to Elias Bates, adjoining the Old Mine concession. He never knew or heard of said Blanco residing on or cultivating land in the Old Mine concession. Deponent states that Jacob Wise was a resident of Mine à Breton, and never an inhabitant of the Old Mine concession, to the best of his knowledge.

JOHN STEWART.

Sworn to and subscribed, May 14, 1833.

L. F. LINN, *Commissioner*.

OLD MINE, *May* 11, 1833.

Personally appeared before L. F. Linn, one of the commissioners, &c., Mr. John Trimble, who, after being duly sworn, deposes and says, that he came to reside in Upper Louisiana (now State of Missouri) in the year 1811; that he is acquainted with the general survey of the Old Mine concession, and knows that lots marked No. 1 and 2 on the plat of survey, and said to belong to the Valles, had no appearance of habitation or cultivation up to the year 1817, when George Breckenridge built a cabin on the same, and made no other improvements.

J. T. TRIMBLE.

Sworn to and subscribed, May 11, 1833.

L. F. LINN, *Commissioner*.

See book No. 6, pages 225, '6, '7, '8, and 229.

October 18, 1833. The board met pursuant to adjournment. Present, A. G. Harrison, F. R. Conway, commissioners. In the Old Mine case the following testimony was taken by F. R. Conway, esq:

This day personally appeared Jacque Bon before me, F. R. Conway, recorder of land titles, acting as commissioner for the final adjustment of private land claims in Missouri, this 6th day of July, 1833, and, being sworn, says, that he is nearly fifty-eight years of age, and that he is not interested for or against the part of the grant about which he deposes or gives testimony. He says he settled in the Old Mines, in Washington county, in the year 1801, and has resided there ever since. When he came there Charles Boyer, Bernard Coleman, John Potel, Joseph Boyer, John Polite Polite, Robert P. Boyer, Louis Boyer, and Alexander Coleman resided there on small improvements, having been there but a short time, on what was afterwards surveyed to thirty-one persons, by Thomas Maddin, about two years after this;

that Boilvin came to this affiant and informed him he was obtaining signatures to a petition, in order to procure a concession for the land on which they were residing, agreeing, as this affiant then understood, that each of the settlers should have the improvement he had made, and that a village should be laid off on the land, and in this way obtained their consent to sign the petition.

This affiant does not know who did sign, or the number, but has been informed that 32 were obtained; but when or how the grant was obtained he does not recollect. He heard about that time the names of some who had signed the petition were stricken off without their consent, and others added to the petition before the grant was obtained, or about that time. The grant No. 1 was granted to Baptiste Valle. No. 2 was granted to Charles François Auguste Valle, neither of whom ever lived on or cultivated the land, either before or since the grant was obtained. No. 5 was granted to Pierre Martin; No. 6 to Jacob Boise, neither of whom ever lived on or cultivated the land. No. 7 was granted to Alexander Duclos, and No. 8 was granted to Charles Robert, neither of whom ever lived on or cultivated his own land; they resided on the land granted to Jacob Boise, near where N. G. Hebert resided. No. 9 was granted to Joseph Pratt, who never lived on or cultivated the land. No. 10 was granted to Francis Maniche; he never lived on or cultivated the land where his grant was made; he resided on the concession No. 4, as this affiant thinks. No. 11 was made to Amable Partenay; No. 12 to Joseph Blay; No. 13 to Francis Robert; No. 14 to L. Boyer, neither of whom lived on or cultivated the land granted to him, nor did any one of the persons to whom a grant was made at the Old Mines, as numbered and surveyed by Thomas Maddin.

This affiant assisted in making the survey of the exterior boundary; it was made by running all the lines but the closing line. This was not run, as this affiant believes, neither were the subdivision lines ever run by Thomas Maddin between each grant. He run across each, and stuck posts about the centre of the tracts, in 1805 or '6, at the request of those interested. And should this grant be confirmed, the improvements of those who did settle will be on the grants of others, who never settled or improved. Several of those to whom a grant was made claimed land by settlement on the same place where they cultivated within the bounds of this survey; and some to whom a grant was made here, got land in other places. Of those claiming now, Jacob Boise is one. This affiant knows that Alexander Duclos did not live on this tract more than two years at any time; nor did Robert live on his survey three years before he sold it. Both of these persons settled under Boyer, (Jos.,) who had the land enclosed; and they built in his enclosure; one of whom was his son-in-law, and the other his nephew; Joseph Boyer lived on lot No. 6, granted to Jacob Boice, and Duclos and Robert lived to the south of him. Polite Robert and Francis Maniche both resided on grant No. 4, granted to John Potel.

Maniche did not reside here more than one year. And further saith not.

JACQUE BON, his x mark.

Sworn to and subscribed before me, the 6th day of July, 1833.
F. R. CONWAY.

John Trimble, being sworn, says that John Potel lives on lot No. 5, granted to P. Martin. He does not reside on the grant made to John Potel, jr.; and N. P. Hibbard formerly resided on lot No. 6, granted to Jacob Boise. And further saith not.

JOHN TRIMBLE.

Sworn to and subscribed before me, the 9th day of July, 1833.
F. R. CONWAY.

Amable Partenay appeared this day before me, F. R. Conway, recorder of land titles, acting as commissioner for the final adjustment of private land claims in Missouri, who, being sworn, saith, that while he resided in St. Genevieve he saw in the possession of Francis Valle, who was commandant, a petition for land at the Old Mines in Washington county. He offered to add thereto this affiant's name, and finally did do so, asking for 400 arpens of land, French measure.

This affiant says this was in the year 1796 or '97, as it was shortly before he moved to Potosi, in Washington county, which was in 1799. This petition contained the names of 31 persons. Some time after he went to Potosi, he thinks in 1802 or 1803, he was informed that Moses Austin had a number of grants, and was going to survey them at the Old Mines; and when the surveyor went there to survey said Austin's claims, those who were interested and had settled there prevented him from making the survey, believing that they owned the land, or ought to have it, having petitioned for it. This affiant went immediately to St. Genevieve to look for the petition and grant, if any had issued on the petition that he had signed; but found neither a grant either there or at St. Louis. While at St. Louis the commandant, Delassus, informed this affiant [if] he would prove that a petition had existed, he might obtain from Francis Valle, the commandant at St. Genevieve, a copy of the first petition, and he would give a grant for the land. This affiant went back to St. Genevieve and obtained certificates from different citizens there, proving the existence, or that a petition had existed for this land to 31 petitioners or applicants. The said Francis Valle directed his clerk to make out a petition, intended to be a copy of the original, according to the instructions of Delassus. Instead of this, he left off the names of five, at least, who had been on the first petition, and put on five who were not on the first petition. And the said Valle, as this affiant believes, presented this petition, and obtained the grant of 400 arpens to each of the 31 petitioners. The out boundary line of this survey was made by Thomas Maddin. This affiant had become bound to him for the payment of his fees, but he does not

recollect at what time it was made, but not long after the grant was made; but he did not at that time run the division lines, but claimed his fees and sued for them, but could not recover them. Afterwards, in 1806 or 1807, as this affiant thinks, the said Maddin came back to finish the survey, and numbered them by a lottery drawn by two individuals; they were numbered from one to 31, both inclusive. To this several of the claimants objected, as they might lose their improvements; but it was done notwithstanding, and the survey was made by running across each grant about the middle, from east to west.

This affiant has no interest at this time; he has owned grants, but sold them without any recourse on him. This affiant is 67 years of age, and one among the first settlers in this part of the country.

AMABLE PARTENAY.

Sworn to and subscribed before me, the 6th day of July, 1833.

F. R. CONWAY.

This day personally appeared Amable Partenay before me, F. R. Conway, recorder of land titles, acting as a commissioner for the final adjustment of private land claims in Missouri, who, being sworn, says, that he has no interest in this claim, and that he is 67 years of age. He knows that Jacque Bon settled in the Old Mines in the year 1801, and has been cultivating a farm there ever since. He has been married for a number of years, but he does not know at what time. He still lives on said land, and has had possession ever since he first settled the land on which he lives.

This affiant was one among the first settlers in this part of the country.

AMABLE PARTENAY.

Sworn to and subscribed before me, this 6th day of July, A. D. 1833.

F. R. CONWAY.

See book No. 6, pages 376, 377, 378, 379, 380, 381, and 382.

November 1, 1833. The board met pursuant to adjournment; present, L. F. Linn, A. G. Harrison, F. R. Conway, commissioners. Old Mine concession for 12,400 arpens, of land granted to 31 heads of families; see page 5 of this book.

The board are unanimously of the opinion that this tract of 12,400 arpens ought to be confirmed to the thirty-one heads of families, or to their legal representatives. See book No. 6, page 289.

Conflicting claims.

By letter dated 2d October, 1833, Solomon Houk states to the board that he bought of the United States the S. E. $\frac{1}{4}$ sec. 20, R. 3 E., T. 38 N., and that it appears on the plat at the land office that his purchase does not interfere with the Old Mine claim, but by the lines of

the said Old Mine claim his said purchase would take off from 60 to 65 acres of the aforesaid Old Mine concession.

Peter Boyer, one of the concessioners in the above grant, claims 639¾ acres and 12 poles as a settlement right situated within the bounds of the survey made for the 31 inhabitants, upon which a report recommending the confirmation of the same was made by the recorder, Bates, 1st November, 1815, and which is considered as confirmed by the Commissioner of the General Land Office, as per his letter to the recorder of land titles.

L. F. LINN,
F. R. CONWAY,
A. G. HARRISON.

The defendant is in possession under a survey and entry by authority of the United States.

This was all the evidence given in the cause, whereupon the court gave the following instructions to the jury :

Instructions to jury.

RENAULT'S HEIRS
vs.
RUGGLES.

1st. The court is of opinion that the grant to Renault, unaided by a survey under the French or Spanish Government, did not separate the lands from the public domain. That it cannot now, from its uncertainty, be located. It is not, therefore, a grant for any specific lands, and therefore does not entitle the plaintiffs to the locus in quo.

2d. That if Renault left these lands and returned to France, without any intention to again claim, use, or occupy the same, it was an abandonment of the same, and his grant, if valid when made, would be lost by such abandonment.

3d. That his heirs might abandon the grant made to their ancestor, by relinquishing all intention of ever claiming, occupying, or using the same.

4th. That the heirs of Renault could not take these lands by descent during the existence of the Spanish Government in Louisiana, if they and the ancestor casting the descent resided, at the time of the descent cast, in France, and were subjects of France.

5th. That after the adoption of the common law in this territory, in 1816, no alien subject of France, residing in France, could take by descent, the ancestor casting the descent being at the time a subject of France and there residing.

To which the plaintiffs excepted.

Verdict.

The jury then gave their verdict in favor of the defendant in the following words : "We, the jury, find that the defendant is not guilty

of the trespass and ejectment complained in the declaration. We further find, that Philip François Renault, the grantee, abandoned his grant and the lands therein mentioned. And we further find, that the heirs of said Renault did also abandon said grant and the land therein mentioned, if they had any claim or title to abandon.

TRUMAN ROBERTS, *Foreman.*

The plaintiffs moved the court to set aside the verdict and grant them a new trial. This motion was overruled by the court. To all which rulings and instructions of the court the plaintiffs except, and pray that this *his* bill of exceptions may be signed and sealed, which is accordingly done. It is agreed that the value of the property in controversy is more than $2,000, exclusive of costs.

R. W. WELLS. [SEAL.]

MISSOURI DISTRICT, *sct.*

I, Benjamin F. Hickman, clerk of the circuit court of the United States, for the Missouri district, do hereby certify, that the foregoing one hundred and ten pages, and the accompanying map, contains as full, true, and complete transcript of the record and proceedings had in the suit therein named as the same remains on file in my office.

In witness whereof I hereunto subscribe my name and affix the seal of said court, at office, in the city of St. Louis, this 22d day of November, 1851.

[SEAL.] BEN. F. HICKMAN, *Clerk.*

UNITED STATES OF AMERICA,
Missouri district, ss.

The President of the United States, to the honorable the judges of the circuit court of the United States for the district of Missouri, greeting:

Because in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said circuit court before you, between Augustine Anne Louise Denise Hyacinthe, Adda Mayneaud de Paucemont, Countess de Tournon, Seraphine Carpentier, widow of Olivier Louis Martin, Charles Alexander Martin, Janie Mararie Seraphine Martin, and Jacques François, Justinian François, and Antoine Joseph Servais, as plaintiffs, and Benjamin Ruggles as defendant, a manifest error hath happened, to the great damage of the said plaintiffs, as by their complaint appears; we being willing that error, if any hath been, should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given, that then, under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you have the same at Washington on the first Monday of December next, in the said Supreme Court, to be then and there held; that the record and proceedings aforesaid being in-

spected, the said Supreme Court may cause further to be done therein, what of right, and according to the law and custom of the United States, should be done.

Witness the honorable Roger B. Taney, chief justice of the said Supreme Court, this 30th day of October, in the year of our Lord one thousand eight hundred and fifty-one.

[L. S.] Issued at office, in the city of St. Louis, with the seal of said circuit court.

BEN. F. HICKMAN, *Clerk.*

Allowed by me.

R. W. WELLS,
Dist. judge U. S. for Mo.

In obedience to the within writ of error, I herewith send to the Supreme Court a copy of the record and proceedings had in the suit therein mentioned, while in the circuit court of the United States for the Missouri district.

Nov. 24, 1851. BEN. F. HICKMAN, *Clerk.*

The United States of America, to Benjamin Ruggles, greeting:

You are hereby cited and admonished to be and appear at a Supreme Court of the United States, to be holden at Washington on the first Monday of December next, pursuant to a writ of error, filed in the clerk's office of the circuit court of the United States, for the district of Missouri, in the eighth circuit, wherein the Countess de Tournon et al. are plaintiffs in error, and you are defendant in error, to show cause, if any there be, why the judgment rendered against the said plaintiffs in error, as in the said writ of error mentioned, should not be corrected, and why speedy justice should not be done to the parties on that behalf.

Witness the honorable Robert W. Wells, district judge of the United States for the district of Missouri, this 6th day of November, in the year of our Lord one thousand eight hundred and fifty-one.

R. W. WELLS.

I accept due service of the within citation, on behalf of the above defendant.

WHITTLESEY,
November 18, 1851. *Attorney for defendant.*

Know all men by these presents, that we, Hugh A. Garland and Lyman D. Norris, are held and firmly bound unto Benjamin Ruggles, in the full and just sum of six hundred dollars, to be paid to the said Benjamin Ruggles, or his certain attorney, executors, administrators or assigns; to which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, by these presents. Sealed with our seals, and dated the sixth day of

1564.

November, in the year of our Lord one thousand eight hundred and fifty-one.

Whereas, lately at a session of the circuit court of the United States, for the eighth circuit, in a suit depending in said court between the Countess de Tournon et al., plaintiffs, and Benjamin Ruggles, defendant, judgment was rendered against the said Countess de Tournon et al.; and the said countess having obtained a writ of error of the said court to reverse the said judgment in the aforesaid suit, and a citation directed to the said defendant, citing and admonishing him to be and appear at a Supreme Court of the United States, to be holden at Washington on the first Monday of December next:

Now the condition of the above obligation is such, that if the said Countess de Tournon et al. shall prosecute said writ of error to effect, and answer all damages and costs, if the said Countess et al. fail to make said plea good, then the above obligation to be void; else to remain in full force and virtue.

H. A. GARLAND, [SEAL.]
LYMAN D. NORRIS. [SEAL.]

Sealed and delivered in presence of
BEN. F. HICKMAN, *Clerk C. C. U. S. Mo. dist.*

Approved by me.

R. W. WELLS,
Dist. judge U. S. for Mo.

Acknowledged by H. A. Garland this 5th day of November, 1851, and by Lyman D. Norris this 6th day of November, 1851.

BEN. F. HICKMAN, *Clerk.*

Letters patent in form of a proclamation, for the establishment of a trading company, by the style of "Western Company," published in Paris, in the month of August, 1717.

Lewis, by the grace of God of France and Navarre king, to all to whom these our present letters shall come, greeting.

From the time of our accession to the crown, we have been successfully engaged in establishing good order in our finances, and in reforming the abuses which long protracted wars had caused in them; nor have we paid less attention to the restoration of the trade of our subjects, which contributes to their prosperity as much as the good administration of our finances; but having taken cognizance of the state of our colonies, situated in the northern parts of America, we have remained satisfied that they were so much the more in need of our protection, M. Anthony Crozat, to whom the late King, our most honored lord and great grandfather, had, by letters patent of the month of September, 1712, granted the privilege of exclusive trade in our government of Louisiana; having humbly prayed that we might allow him to resign it, which we did allow him by the order of our council of the 23d of the present month of August, and the contract made with Messrs Aubert, Neret, and

Gayot, on the 10th of May, 1706, for the trade in beaver of Canada, expiring at the end of the present year, we have thought fit, for the good of our service, and the advantage of both colonies, to establish a company capable of upholding their trade and of undertaking the different species of husbandry and plantations that may be established there. Wherefore, and for other reasons us thereto inducing, by and with the advice of our dearly beloved uncle, the Duke of Orleans, regent, petit fils de France; of our dearly beloved cousin, the Duke of Bourbon, of our dearly beloved cousin, the prince of Conty, princes of our blood; of our dearly beloved uncle, the Duke of Maine, of our dearly beloved uncle, the Count of Toulouse, legitimated princes, and other peers of France, grandees and notable persons of our kingdom, and by our certain knowledge and royal authority, we have said, determined, and ordained, do say, determine, and ordain, it is our will and pleasure:

I. That there be formed, by virtue of these present letters, a trading company by the style of Western Company, in which it shall be allowed to all our subjects, of whatever rank and quality they may be, as well as to all other companies formed or to be formed, and to all bodies and corporations, to take an interest for such sum or sums as they may think fit, and they shall not on account of the said engagements be considered as having degraded their titles, quality, or nobility, our intention being that they may enjoy the benefit expressed in our proclamations of the months of May and August, 1664, August, 1669, and December, 1701, which shall be executed according to their form and tenor.

II. We grant to the said company for the space of twenty-five years, beginning from the day of the registration of these present letters, the exclusive right of trading in our province and government of Louisiana, and also the privilege of receiving to the exclusion of all other persons in our colony of Canada, from the 1st January, 1718, until and including the last day of December, 1742, all the beaver, fat and dry, which the inhabitants of the said colony shall have traded for, whilst we shall regulate, according to the accounts which shall be sent over to us from the said country, the quantities of the different sorts of beaver that the company shall be found to receive each year from the said inhabitants of Canada, and the prices they shall be bound to pay for them.

III. We forbid all our other subjects any sort of trade within the limits of the government of Louisiana, as long as the charter of the Western Company shall last, upon pain of forfeiture of goods and vessels; not intending, however, by the present prohibition, to put any restraint upon their trading within the said colony, either among themselves or with the savages.

IV. We forbid likewise all our subjects to buy any beaver within the limits of the government of Canada, with a view to import in our kingdom, upon pain of forfeiture of the said beaver to the company, as also the vessels on board of which it shall be laden. The beaver trade shall, nevertheless, remain free in the interior of the colony be-

tween the merchants and the inhabitants, who may continue to sell and buy beaver as they have done heretofore.

V. With a view to give to said Western Company the means of forming a firm establishment and enable her to execute all the speculations she may undertake, we have given, granted, and conceded, do give, grant, and concede, to her, by these present letters, and forever, all the lands, coasts, ports, havens, and islands, which compose our province of Louisiana, in the same way and extent as we have granted them to M. Crozat, by our letters patent of 14th September, 1712, to enjoy the same in full property, seigniory, and jurisdiction, keeping to ourselves no other rights or duties than the fealty and liege homage the said company shall be bound to pay to us, and to the kings, our successors, at every new reign, with a golden crown of the weight of thirty marks.

VI. The said company shall be free in the said granted lands to negotiate and make alliance in our name with all the nations of the land, except those which are dependant on the other Powers of Europe; she may agree with them on such conditions as she may think fit, to settle among them and trade freely with them; and, in case they insult her, she may declare war against them, attack them, or defend herself by means of arms, and negotiate with them for peace or for a truce.

VII. The property of all mines the said company may open during the time her charter lasts, shall belong to her by length of possession, and she shall not be bound to pay us during the said time for the said mines any right of sovereignty; whereof we have made, and do make, her a free gift by these present letters.

VIII. The said company shall be free to sell and give away the lands granted to her for whatever quit or ground rent she may think fit, and even to grant them in freehold without jurisdiction or seigniory. She shall not, however, be at liberty to dispossess such of our subjects as are already settled in the lands granted to her of such lands as have been granted to them, or which without special grant they may have begun to clear and cultivate. It is our will that such among them as have no grants or letters from us, be bound to take grants of the company, so as to insure to them the property of the land they enjoy, which grant shall be delivered to them free of all expenses.

IX. The said company shall be at liberty to construct all such forts, castles, and strongholds, as she may find necessary, for the defence of the lands we have granted to her, garrison them, and raise soldiers in our kingdom, after having taken our commission in the usual and accustomed form.

X. The said company shall be at liberty to establish such governors, officers, majors, and others, as they may think fit, to command the troops; and the said governors and major officers shall be presented to us by the directors of the company, in order that we may deliver to them our commissions; and the said company shall be at liberty to dismiss them as often as they shall think fit, and put others in their place, to whom we shall likewise deliver our commissions without any

difficulty; and, in the mean while, the said officers may command for the space of six months, or a year at most, under the commissions of the directors; and the governors and major officers shall be bound to take the oath of allegiance to us.

XI. We allow all our military officers who are at present in our government of Louisiana, and who may wish to remain there, as also those who may wish to go there and serve as captains and subalterns, to serve under the company's commissions without losing on that account the rank or degree they actually enjoy, either in our fleet or in our army; and it is our will that, in consequence of the permission thereto that we shall deliver to them, they may be considered and counted as still in our service, and we shall take into consideration their services under the said company, as if it had been rendered to ourselves.

XII. The said company shall likewise be free to fit out and arm for war as many ships as she may think fit, for the increase and security of her trade, and to place in them as many guns as she pleases, and to hoist the flag on the hind castle and the bowsprit, but on no other mast. She shall also be at liberty to cast cannons and mark them with our arms, under which she shall put those we shall grant her hereafter.

XIII. The said company being lord of the manor in the lands granted to her, shall be at liberty to establish justices and officers wherever she may think fit; to depose and dismiss them as often as she pleases: the said justices to take cognizance of all suits of police and trade, civil and criminal, and also to establish, wherever need may be, sovereign councils, the members of which shall be named and presented to us by the directors general of the said company, and after the said nominations we shall deliver to them their commissions.

XIV. The judges of the admiralty, which shall be established in the said province of Louisiana, shall perform the same functions, administer justice in the same form, and take cognizance of the same suits, as those who are established in our kingdom and other parts of our dominions, and they shall receive their commissions from us after being named by the lord high admiral of France.

XV. The judges established in all the said places shall be bound to administer justice according to the laws and statutes of the kingdom, and more particularly according to the common laws of the provosty and viscounty of Paris, which shall be followed in all the contracts the inhabitants shall pass, and no other law shall be allowed to be introduced, to avoid variety.

XVI. All law suits that may spring up in France between the company and the private people on account of transactions concerning her, shall be decided and determined by the judges of trade in Paris, the decrees of whom shall be executed without appeal for any sum not exceeding one hundred and fifty livres, and for higher sums they shall be executed provisionally, with right of appeal to our court of parliament in Paris. And regarding criminal suits, in which the company shall be a party, either as plaintiff or as defendant, they shall be determined

by the ordinary judges, without allowing any encroachment of the criminal over the civil suit, which shall be determined as above.

XVII. We shall grant no letter of respite, supersedeas, or certiorari, to any person who shall buy goods of the company; and they shall be compelled to pay their debt by the means and in the way they have engaged to do it.

XVIII. We promise to protect and defend the said company, and to employ the force of our arms, if it be necessary, in order to maintain her in the full freedom of her trade and navigation, as likewise to see that justice be done to her for all the injury or ill treatment she may suffer from any nation whatever.

XIX. In case any director, sea captain, officer, clerk, or agent, while transacting business for the company, should be taken prisoner by the subjects of the princes of States with whom we may be at war, we promise to get them released or exchanged.

XX. It shall not be allowed to the said company to make use for her trade of any other vessels but those belonging to her or to our subjects, fitted out in the ports of our kingdom, manned with French crews, and they shall be bound to return to our ports; neither shall it be allowed her to send the said vessels direct from the lands granted her to the coast of Guinea, upon pain of forfeiture of the present privilege, and confiscation of the vessels and the goods laden therein.

XXI. We allow all vessels belonging to the said company, and those of our subjects who shall have received permission of her or her directors, to chase and capture the vessels of our subjects who shall presume to trade in the lands granted to her contrary to the tenor of the present letters; and the prizes shall be awarded according to the regulations we shall make in that respect.

XXII. All goods, merchandise, provisions, and ammunition, laden on the company's vessels, shall be considered as belonging to her, unless it appears by bills of lading, in due form, that they have been taken on board for freight, by the orders of the company, her directors, or agents.

XXIII. It is our pleasure that such of our subjects as shall go over to the lands granted to the said company enjoy the same liberties and immunities as if they had remained living in our kingdom; and that those who shall be born there of French inhabitants of the lands, and even of foreign Europeans, professing the Roman Catholic religion, who may come to settle there, be considered and reputed as inhabitants of our kingdom, and as such capable of inheriting and receiving gifts, legacies, and other advantages, without being bound to take letters of free denization.

XXIV. And in order to favor such of our subjects as shall settle within the said lands, we have declared, and declare, them as long as the charter of the company lasts, free from all duties, subsidies, and taxes whatever, as well on their persons and those of their slaves as on their merchandise.

XXV. The goods and merchandise which the said company shall have shipped for the lands granted to her, and those of which she may

stand in need for building, outfitting, and victualling her vessels, shall be free of all duties, as well towards us as towards our towns, levied at present, or that may be levied in the future, on importation or on exportation; and although they should go out of one of our farmed revenues to enter into another, or from one of our ports to be transferred to another, where the outfitting takes place. Provided, however, the clerks and agents *and agents* of the company do sign an engagement to bring back within eighteen months a certificate of delivery in the country to which they were bound, upon pain, in case they fail so to do, of paying four times the duty, reserving to ourselves the right of allowing them a longer term in such cases and circumstances as we shall think fit.

XXVI. We declare, likewise, the said company free of the duties of toll, crossing passage, and other taxes levied to our profit on the rivers Seine and Loire, on empty casks, rafters, and other wood vessels, and other goods belonging to the said company; provided they send back by the wagoners and bargemen certificates signed by two directors.

XXVII. In case the said company should be obliged, for the advantage of her trade, to draw from foreign countries goods to be imported in the lands granted to her, the said goods shall be free of all importation or exportation duties; provided they be deposited in our custom-house warehouses, or in those of the said company, of which the clerks of the general farmers of our revenues and those of the said company shall each have a key, until such time as the said goods shall be laden in the company's vessels; the said company being bound to sign an engagement to deliver, within the space of eighteen months from the date of the engagement, certificates of the unloading of the said goods in the lands granted to her; in default whereof she shall be bound to pay four times the value of the duty, reserving to ourselves the right, whenever the company shall be in need of drawing from the said foreign countries goods of which the importation might be prohibited, to grant her special leave of importation, if we think fit, for any such goods contained in the list to be submitted to our approbation.

XXVIII. The goods imported by the said company for her account, from the lands granted to her in the ports of our kingdom, shall pay, during the first ten years of her charter, the half only of the duty which such goods, coming from the French islands and colonies in America, must pay, according to our regulation of the month of April last past; and if the said company should import from the said lands granted to her other sorts of goods than those that come from the French islands and colonies in America, and are contained in our said regulations, they shall pay the half only of the duty that goods of the same sort and quality, coming from foreign countries, must pay, whether the said duty belongs to us or has been by us made over to private persons; and as for lead, copper, and other metals, we have granted, and do grant, to the said company entire freedom of all duties laid, or to be laid, upon them. But if the said company takes goods upon freight in her vessels, she shall be bound to let the same be declared by her captains

at the offices of our farms, in the usual form, and the said goods shall pay the full duty. In regard to such goods as the company shall import in those ports of our kingdom named in the fifteenth article of the regulations of the month of April last past, and likewise in those of Nantz, Brest, Morlais, and St. Malo, for her account, as well from the lands granted to her as from the French islands in America, proceeding from the sale of goods, the produce of Louisiana, and intended for re-exportation to foreign countries, they shall be deposited in the custom-house warehouses of the ports at which they arrive, or in those of the company, in the form here above prescribed, until they be taken away; and when the clerks of the said company shall wish to send them abroad by sea or land as transit goods, which can only take place through the officers named in our regulations of last month, they shall be bound to take a pass (acquit à caution) containing an engagement to bring back within a certain time a certificate of the last frontier office they pass, and another of their unlading in a foreign country.

XXIX. If the company construct vessels in the lands granted to her, we consent to pay to her as a bounty, out of our royal treasury, the first time the said vessels enter into the ports of our kingdom, a sum of six livres per ton for all vessels not below two hundred tons burthen, and of nine livres also per ton, for those not below two hundred and fifty tons, which sum shall be paid on delivery of certificates of the directors of the company in the said lands, showing that the said vessels had been built there.

XXX. We give the said company leave to deliver special licenses to vessels of our subjects, to trade in the lands granted to her under such conditions as she may think fit, and it is our pleasure that the said vessels bearing licenses of the said company enjoy the same rights, privileges, and immunities, as those of the company, as well on the stores, merchandise, and goods that shall be laden in them, as on the merchandise and goods they shall bring back.

XXXI. We shall deliver to the said company out of our magazines, every year during the time of her charter, forty thousand pounds of gunpowder, for which we shall charge her no more than the prime cost.

XXXII. Our intention being that the greatest number possible of our subjects participate in the trade of this company, and in the advantages we grant her, and that all sorts of persons may take an interest in it according to their fortunes, it is our pleasure that the stock of this company be divided in shares of five hundred livres each, the value of which shall be paid in exchecquer bills, and the interest be due from the first of January, of the present year; and when the directors of the said company shall have declared that a sufficient number of shares have been delivered, we shall close the books of the company.

XXXIII. The certificates of the said shares shall be made payable to the bearer, signed by the treasurer of the company, and approved by one of the directors. Two sorts of certificates shall be delivered, viz., certificates of single shares, and certificates of ten shares.

XXXIV. Persons who may wish to send the certificates of the said shares to the country or abroad, may for greater security endorse them, but the said endorsement shall not be considered as warranting the share.

XXXV. All foreigners may take as many shares as they think fit, though they should not reside in our kingdom; and we have declared, and do declare, that the shares belonging to the said foreigners shall not be subject to the right of aubaine, nor to any confiscation for cause of war or otherwise, it being our pleasure that they enjoy the said shares as fully as our subjects.

XXXVI. And whereas the profits and losses in trading companies are uncertain, and the shares of the said company can be considered in no other light than as merchandise, we permit all our subjects, and all foreigners in company or for their private account, to buy, sell, and trade in them as they shall think fit.

XXXVII. Every shareholder, bearer of fifty shares, shall have a vote in the court of proprietors, and if he is bearer of one hundred shares he shall have two votes, and so forth, augmenting the number of votes by one for every fifty shares.

XXXVIII. The exchequer bills received in payment for the shares shall be converted in a stock bearing four per cent. interest, the said interest to begin from the first of January of the present year; and, as security for the payment of the said interest, we have pledged and assigned, do pledge and assign, our revenues of the comptrol of notaries' deeds, of the same seal and of lay registration; in consequence whereof the commissioners of our council, that we shall name to that end, shall make in our name, and in favor of the said company, bonds for a perpetual and inheritable annuity of forty thousand livres, each bond representing the interest of a capital of one million, at four per cent., against the finance receipts that shall be delivered by the treasurer of our royal treasury, in office this present year, who shall receive from the said company one million of exchequer bills at each payment, until the moneys deposited for shares in the said company shall be exhausted.

XXXIX. The interest of said annuities shall be paid, viz., the interest of the present year in the four last months of the year, and the interest of the following years in four instalments, quarterly, by our farmer of the control of notaries' deeds, small seals, and lay registrations, in the hands of the treasurer of the said company, who shall deliver receipts thereof, approved by three directors, and for the first time only a collated copy of these letters and of their nominations.

XL. The directors shall make use, for the trade of the company, of the interest for the present year on the bonds delivered in favor of the company; but we very expressly forbid them to make use of any part of the interest of the following years, or mortgage them in any way whatever; it being our pleasure that the proprietors do receive regularly the interest of their shares at the rate of four per cent. a year, beginning with the month of January next year, and the first payment

of interest to take place for six months on the first of July following, and so forth every six months.

XLI. Whereas it is necessary that, immediately after the registration of these present letters, there be persons who take charge of all that may be required for the opening of the books, and other particulars incident on the beginning of the said company which will bear no delay, we shall name for this time only the directors we shall choose to that effect, who shall be empowered to regulate and administer the affairs of the said company, the proprietors of which may, after two years have elapsed, in a general court, nominate three new directors, or continue them for three years if they think fit, and so forth every three years; the said directors to be chosen only among Frenchmen and inhabitants of the kingdom.

XLII. Every year, at the end of the month of December, the directors shall close the general balance of the affairs of the company; after which they shall call, by bills publicly stuck up, a general court of proprietors of the said company, in which court the dividends accruing from the profits of the said company shall be fixed and settled.

XLIII. Considering the great number of shares that will be delivered by the said company, we find [it] necessary to establish, for the ease of our subjects, a regular order for the payment of the interest and dividend, so that every shareholder may know what day he may appear at the office to receive without any delay the sums due to him; in consequence it is our pleasure that the interest of the said shares, as likewise the dividend accruing to them out of the profits of the trade, be paid according to the numbers of the said shares, beginning with number one, and so forth, the company not being at liberty to make any alteration in the said order; and every week the directors shall cause bills to be stuck up at the door of the office of the said company, and advertisement inserted in the public newspapers, containing the numbers that are to be paid in the following week.

XLIV. Neither the shares of the company, nor her effects, nor the salaries of the directors, officers, or agents of the said company, shall be subject to distress by any person or under any pretence whatever, not even for our own money and affairs, excepting only that the creditors of the shareholders shall be at liberty to attach in the hands of the treasurer and book-keeper of the said company the money due to the said shareholders according to the accounts closed by the company, to which the said creditors shall be bound to submit without obliging the said directors to show them the state of the company's effects, or render them any account; neither shall the said creditors establish any commissaries or sequestrees of the said effects; and all acts contrary to the present edict shall be void.

XLV. It is our pleasure that the exchequer bills, delivered in hands of the treasurer of our royal treasury for the said Western Company be brought by him to the town hall of our good city of Paris, where, in the presence of M. Bignon, councillor of state in ordinary, late prevot du marchands, (mayor,) M. Trudaine, councellor of state, present

prevot du marchands, Messrs. de Sorre, le Verloys, Harlon, and Boncot, who signed the exchequer bills with them, and of the municipal officers of the said town hall, who shall or may wish to be there, the said exchequer bills be publicly burned, immediately after the delivery of each bond, and after the draft of a verbal process mentioning the registers, numbers, and sums, the inscription and discharge thereof on the said registers, which verbal process shall be signed by the said Messrs. Prevots du Marchands, and other persons named in the present article.

XLVI. The directors or a majority of them shall nominate all the agents of the company, captains and officers serving on her vessels, military and judicial officers, and all others employed in the lands granted to her, and they shall be at liberty to dismiss them whenever they think fit, and the said nominations and dismissions shall be signed by no less than three directors.

XLVII. The said directors shall not be troubled or constrained in their persons or effects for the affairs of the company.

XLVIII. They shall settle the accounts of the clerks and agents, as well in France as in the granted lands of the company, and those of the correspondents, and the said accounts must be signed by no less than three of the said directors.

XLIX. True and exact books shall be kept for the cash invoices, sales accounts, expeditions and ledger, by double entry, as well at the general direction at Paris, as by the clerks and commissioners of the company in the country, and lands granted to her; the said books shall be endorsed and signed by the directors, and they may serve as evidence before our courts of justice.

L. We bestow in gift to the said company the forts, warehouses, houses, cannons, arms, gunpowder, brigantines, boats, canoes, and all other effects and utensils we possess at present in Louisiana, all of which shall be delivered over to her on our orders, which shall be despatched by our navy council.

LI. We bestow likewise in gift to the said company the vessels, goods, and effects, which M. Crozat delivered over to us, as explained in the decree of our council of the 23d day of the present month, of whatever nature they may be, and whatever may be their amount, provided that in the course of her charter she carry over to the lands granted to her no less than six thousand white persons and three thousand negroes.

LII. If after the twenty-five years of the charter we grant hereby to the said company shall have expired, we should not think fit to grant her a prolongation thereof at the islands and lands she shall have inhabited or peopled, as likewise the manorial rights, quit and other rents due by the inhabitants, shall remain her property forever, with liberty to dispose of them as she shall think fit, and we will never seek to recover the said lands or islands for any cause, occasion, or pretence whatever, having given them up from this present moment on condition

that the said company shall not sell the said lands to any other persons than our subjects; and as to the forts, arms, and ammunitions, they shall be delivered up to us by the said company, to whom we shall repay the value of the same according to an equitable valuation.

LIII. Whereas in the settlement of the lands granted to the said company by these present letters, we have chiefly in view the glory of God by procuring the salvation of the Indian savage and negro inhabitants, whom we wish to be instructed in the true religion, the said company shall be bound to build churches at her expense in the places of her settlements, as likewise to maintain there as many approved clergymen as may be necessary, either as vicars, or under any other suitable title, to preach the holy gospel, celebrate divine service, and administer the sacraments under authority of the bishop of Quebec, the said colony remaining as heretofore in his diocese, the livings of the vicars and other clergymen maintained by the company being in his gift and advowson.

LIV. The said company shall be at liberty to take for her coat of arms an escutcheon vert, waved at the base argent, lying thereon a river god proper, leaning on a cornucopia or, in chief azure service of fleur de lys or, bearing upon a closet or supporters two savages; crest a trefoiled crown; and we grant her the said arms that she may make use of them on her seals and place them on her buildings, vessels, guns, and wherever she may think fit.

LV. We give the said company leave to draw up and exact the necessary statutes and regulations for the government and direction of her affairs and trade, as well in Europe as in the lands granted to her, and the said statutes and regulations shall be confirmed by our letters patent in order that the shareholders of the said company be bound to execute them according to their form and tenor.

LVI. Whereas it is not our intention that the special protection we grant to the said company be in any respect prejudicial to our other colonies, whom we wish also to favor, we forbid the said company to take or receive under any pretence whatever any inhabitant established in our colonies and transfer them to Louisiana, unless they have obtained the necessary permission in writing of the governor general of our said colonies, authenticated by the intendants or chiefs of the commissariat.

Wherefore, we do order our trusty and beloved councillors, holding our court of parliament, audit office, and court of aids, in Paris, to let the present letters be read, published, and registered, and their contents holden, obeyed, and executed according to their form and tenor, notwithstanding any proclamation, declaration, regulation, judgment, or any thing else contrary to their contents; all of which we have made, and do make, void by these present letters, in the copies of which, authenticated by one of our trusty and beloved councillor secretaries, faith shall be had as in the original, for such is our pleasure. And in order that this may endure forever, we have attached our seal to these present letters.

Given in Paris, in the month of August, in the year of our Lord one thousand seven hundred and seventeen, and of our reign the second.

(Signed) LOUIS.

And lower, for the King,

LE DUC D'ORLEANS, *Regent*.

Present: PHELYPEAUX; vidit DUGUESEAU.

Seen at the council, Villeroy, and sealed with the great seal of green wax.

Registered after having been heard, and at the demand of the King's attorney general to be executed according to their form and tenor, although the statutes which shall be drawn up hereafter by the Western Company can only be executed after they are confirmed by letters patent of the King, registered in our court; and authenticated copies of these present letters shall be sent to the inferior courts of Bailliage and Suneschaussée, of our good duchy, to be there read, published, and registered. We enjoin the deputies of the King's attorney general to see this executed, and to report the same to the court within a month. Paris, in parliament, the sixth of September, one thousand seven hundred and seventeen. (Signed) GILBERT.

Examined with the original by us, councillor, secretary of the King's household crown of France, and his finance.

Notice to the public.

The public are informed that the book subscriptive, for shares in the Western Company, lies at the general band, rue St. Aroye.

MISSOURI DISTRICT, *sct:*

I, Benjamin F. Hickman, clerk of the circuit court of the United States, for the Missouri district, do certify, that the foregoing nineteen pages contain a correct translation of the documents in the French language, as used on the trial of the case, in said circuit court, of Renault's heirs against Ruggles, and being the documents contained in the record of said case sent up to Supreme Court of the United States, commencing on page nine and ending on page forty-one.

In testimony whereof I hereunto subscribe my name, and affix the [SEAL.] seal of said court, at office, in the city of St. Louis, this 23d day of October, A. D. 1852.

BEN. F. HICKMAN, *Clerk*.

The foregoing is a correct translation of the document in the French language, commencing on page 9 and ending on page 41, of the record made out by clerk of the circuit court of United States, for Missouri district, for the Supreme Court of the United States, as the same was agreed upon and used by us, as the attorneys in the case, on the trial of the same in said circuit court.

H. A. GARLAND,
Attorney for plaintiffs.
WHITTELSEY,
Attorney for defendant.

[For map, see end of record.]

Renault vs. *Ruggles.*

Translation of Renault's grant.

In the year one thousand seven hundred and twenty-three, and on the fourteenth of June, granted to Mr. Renault, in fee simple, for the purpose of forming his establishments on the mines:

One and a half league of land fronting on the Little Maramecq, on the river Maramecq, at the place of the first branch which leads to the collection of cabins called the "Cabanage de la Renaudière," by six leagues in depth, the river forming the middle of the rhomb line and the lead stream as far as where Mr. Renault has his furnace, and thence in a direct line to the spot named the great mine.

One league fronting Pimiterry in the Illinois river, facing the east and in the direction of the lake which bears the name of the village, and on the other (side) of the margins in front of the village half a league above, by five leagues in depth, the rhomb line following in its descent the Illinois river on one side, and ascending by that (river) of Aresey, which shall constitute the centre of said rhomb line in the remainder of the depth.

Two leagues of land on the mine called the mine of Mr. La Motte, the front of it facing the north, and the prairie of said mine forming the middle point of said two leagues.

One league fronting on the Mississippi at the place called the great swamp, running, on one side, in the direction of the Illinois Indians, settled near Fort Chartres, by two leagues in depth, this place being the site which has been granted to him for the purpose of raising provisions and to enable him to furnish the same to all the settlements he may establish on the mines.

The year and day as above, at Fort Chartres.

BOISBRIANT,
Des Ursins.

L. F. TASISTRO,
Translator to the Department of State.